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ART. I.—MEDITERRANEAN COMMERCE WITH INDIA.

THE commerce of the Indies has already been the theme of able and interesting articles in the preceding numbers of the Merchants' Magazine. Those articles, however, related chiefly, if not exclusively, to the trade of the English and other East India Companies of modern origin, carried on by marine voyages, mostly around the Cape of Good Hope. Prior to the discovery of this grand commercial route, the whole European traffic with India was conducted, through first or second hands, by way of the Mediterranean and Black Seas; whether by the medium of Arabia and the Red Sea, or by way of Persia, the Euphrates and Syria, or by the still more northern route of Turkestan and the Caspian Sea. Such was the commerce which built up the ancient Palmyra and Damascus, Tyre and Alexandria; which gave new importance to the more modern Cairo, Aleppo, and Constantinople; and which ultimately led to bitter rivalry between Venice and Genoa, until it was at length diverted into its present more circuitous channel. A rapid sketch of this oriental commerce, from the earliest times to the present day, will, it is believed, fill an evident chasm in our current mercantile literature.

Whether the ancient Assyrians maintained any intercourse with the further East, is a point on which the few remaining fragments of ancient history contain no information. The student who seeks to examine the progress and polity of the earlier ages, and who recurs for this purpose to the fountain head of all historical knowledge, the most ancient writings themselves, will soon find how little survives, except mere shreds and patches, to make known to us the grand events and mighty influences of the past, on which we mentally gaze, as it were on a few scattered stars breaking through the clouds before the dawn of morning. These remarks apply particularly to our present subject, aside from its own peculiar difficulties. "It is a cruel mortification," observes the learned Dr. Robertson, "in searching for what is instructive in the history of past times, to find the exploits of conquerors who have desolated the earth, and the freaks of tyrants who have rendered nations unhappy, recorded with

minute, and often disgusting accuracy, while the discovery of useful arts, and the progress of the most beneficial branches of commerce, are passed over in silence, and suffered to sink in oblivion."

The earliest trade with the Indies, of which we have an authentic intimation, was that carried on by the Sabæans, or inhabitants of Saba, the Sheba of the Sacred Scriptures. Occupying the extreme southern part of Arabia, now known as the province of Yemen, in Arabia Felix, and being a hardy, adventurous race, the Sabæans gradually extended their voyages eastward, as well as southward, until they established a lucrative trade not only with the adjacent coasts of Africa, but with the western coast of Hindoostan, and the fertile regions of the Indies. Of this commerce we have an interesting account in the history of Persia and Phœnicia by Agatharchides, as quoted by Photius; and his account is corroborated by some notices in the *Periplus* of the Erythrean Sea, (circumnavigation of the Red Sea,) generally attributed to Arrian. We here perceive the source of the immense riches of the Queen of Sheba, as instanced in her splendid presents to Solomon; "an hundred and twenty talents of gold, and of spices very great store: there came no more such abundance of spices as those which the Queen of Sheba gave to King Solomon." Some writers have supposed the kingdom of Sheba to have been the modern Ethiopia; and it did probably include a portion of Africa, contiguous to Arabia, as do the Arabian domains at the present day. But its capital was doubtless the city of Saba, or Mareb, afterward called Arabia Felix, and so named from Saba, one of its ancient kings.

It seems a doubtful question whether the ancient Egyptians ever carried on any direct commerce with India, or whether they only procured their supplies from the Arabians and Phœnicians. Diodorus Siculus indeed states that Sesostris, the Egyptian conqueror, fitted out a fleet of four hundred ships in the Arabian Gulf, which conquered all the countries stretching along the coast of the Erythrean Sea to India; while at the same time his army marched by land beyond the Ganges to the Indian Ocean. But his account is not confirmed by Herodotus, and it is rejected by Strabo; who observes, on the other hand, that the first kings of Egypt were contented with the produce of their own country, neglecting foreign merchandise, and even forbidding the fleets of strangers to approach their coast. This, it may be said, applies to a still earlier period: but certain it is that we have no other account of any Egyptian ships or fleets until after the Grecian conquest; and hence, admitting that caravans traded to Egypt in the days of Joseph, we still strongly doubt whether the ancient Egyptians ever made any commercial voyages to India. If they did, they had ceased to make them in the days of Herodotus and the earlier Greek historians, as we shall have further occasion to observe.

A part of the East Indian commerce appears to have been carried on, from an early period, by the way of the river Euphrates, and thence by caravans to the Mediterranean: but this commerce appears also to have been in the hands of the Arabians, until the Phœnicians, profiting by their skill in navigation, succeeded in fitting out ships of their own, from the Red Sea or the Persian Gulf, to trade directly with the eastern climes. Before the time of Solomon, they obtained possession of Ezion-geber, (or Asion-gaber,) a port at the head of the Elamitic Gulf, east of Mt. Sinai, and at the north end of the Red Sea. They also acquired the port of Rhinocolura, (or Rhinocorura,) the modern El Arisch, on the southeastern

coast of the Mediterranean ; and thus their land-carriage was reduced to the interval between these two ports. In this trade it appears that Solomon, aided by the friendly offices of Hiram, king of Tyre, participated. He visited Ezion-geber in person, constructed ships there, and received others from King Hiram ; who "sent in the navy his servants, shipmen that had knowledge of the sea, with the servants of Solomon. And they came to Ophir, and fetched from thence gold, four hundred and twenty talents, and brought it to King Solomon. And the servants also of Hiram, [Hiram,] and the servants of Solomon, which brought gold from Ophir, brought algum-trees, and precious stones. For the king's ships went to Tarshish with the servants of Hiram, [Hiram:] every three years once came the ships of Tarshish, bringing gold, and silver, ivory, and apes, and peacocks." Some writers suppose Ophir to have been situated on the eastern coast of Africa ; and Calmet places it at the sources of the Euphrates and Tigris : but the time required for the voyage, as well as the articles procured, rather corroborate the opinion that it was a region of the East Indies, perhaps the island of Ceylon, having Tarshish for its capital.

The Phœnicians appear also to have availed themselves of the route to India by way of the Euphrates, which, considering their more northern location, afforded some peculiar advantages. The fact that Solomon built the city of Tadmor in the Wilderness, affords a strong presumption that he participated also in the traffic by this route. Tadmor was undoubtedly the city afterward called Palmyra by the Romans ; its Syriac, as well as its Latin name, alike signifying the City of Palms. Josephus states that it is one day's journey from the Euphrates, two from Upper Syria, and six from Babylon ; and he mentions that Solomon took possession of it on account of its affording a supply of water. This water could have been needed only for caravans crossing the desert ; and hence it was probably used as a watering station long before the time of Solomon, and valuable to him as securing his intercourse with the east. The city which he built, was long since totally destroyed ; and the magnificent ruins extant on its site, as described by Mr. Wood, are of Grecian and Roman origin, buildings erected in much later times. Palmyra was subjugated by Alexander the Great, 331 B. C., and it submitted to the Romans, A. D. 130 ; but still continued to be an interstation for the commerce of the east. It again became independent under Oudenatus ; but his surviving queen, Zenobia, was subjugated by Aurelian, A. D. 275 ; and the city was finally sacked by the Saracens in 744. Damascus was on the direct route from Palmyra to Tyre, and doubtless owed much of its wealth to its oriental commerce. In this trade the Persians also took part ; and we are told by Herodotus that Darius Hystaspes, after having crossed the Indus in person, sent Scylax of Caryanda to explore that river and the countries bordering upon it. Scylax sailed down the Indus from Caspatyrus, and coasting the Arabian Sea arrived, after two years and a half, in the Red Sea ; when he gave so favorable an account of the regions which he had visited, that Darius was induced to extend his conquests eastward, about 500 B. C.

The commerce of the Indies received a new impulse from the conquests of Alexander the Great. Realizing the value of this trade, from the wealth and strength of Tyre, which had so long sustained itself against his attacks, no sooner did he become master of Egypt than he built the

famous city of Alexandria, as an entrepot, through which his own countrymen might most easily obtain the luxuries of the east. The site of this city was chosen by Alexander himself, 333 B. C. ; and he is said to have traced the plan of it, in the absence of proper instruments, by strewing meal along the lines on which the walls were to be erected. It was laid out with straight and parallel streets, crossing each other at right angles ; one of which, called the Arrow, was 200 feet wide, and ran the whole length of the city, from the gate of the sea on the west to the gate of Canopus on the east, a distance of five miles. This was crossed by another street of the same breadth, forming a central square at their junction, a mile and a half in perimeter. On these two principal streets, the noblest in the world, stood the magnificent temples, palaces, public buildings, and obelisks of marble, sienite, and porphyry, the ruins of which still attest the munificence of Alexander and his Egyptian successors. The harbor of Alexandria was a deep and secure bay, sheltered on the north by the island of Pharos, with which the city was connected by a mole or pier a mile in length, and on which was the celebrated lighthouse, reckoned as one of the seven wonders of the world. The first inhabitants of the new city were a mixture of Egyptians and Greeks, but many Jews were subsequently attracted thither by the facilities of trade and the free toleration afforded to their religion.

Having founded this great emporium, Alexander proceeded to complete the conquest of Persia, and then performed his Indian expedition, in which he advanced beyond the Indus, as far as the river Hyphasis, the modern Beyali, and would have reached the Ganges had not his exhausted troops refused to go any further. Returning to the Indus, he collected a large fleet, which sailed down that river, while a part of the army kept pace with it by land. Having reached its mouth, Alexander returned with the army by land to Persia ; but the fleet, under Nearchus and Onesicritus, proceeded around by sea to the Euphrates. Nearchus afterward gave an account of the regions which he had visited, and thus greatly extended the information which the Europeans then possessed concerning India. Seleucus, succeeding Alexander in the east, also invaded India with success ; but being compelled to return, to defend his domains against Antigonus, he made peace with Sandracottus, and sent Megasthenes as his ambassador to Palibothra, the capital of the Prasii, which Dr. Robertson supposes to be the modern Allahabad, on the Ganges. Megasthenes published still more extended accounts of India, though not unmingled with the marvellous : and Arrian, Strabo, and Diodorus Siculus appear to have almost literally transcribed his descriptions in their historical and geographical works.

Meanwhile Ptolemy, after the death of Alexander, having acquired the sovereignty of Egypt, used every means of compulsion and encouragement, to draw away the trade from the Phœnicians to Alexandria, until at length this city supplied not only Egypt, but a large portion of the other Mediterranean coasts with the produce and manufactures of the east. They were chiefly procured in Arabia, and landed on the west coast of the Red Sea ; then carried by camels across the desert, and floated down the Nile, which, with the help of a canal communication, conveyed them to Alexandria. Thus, Theophrastus, who was contemporary with the first Ptolemy, informs us that vessels sailed from Heroöpolis, a port at the head of the northwest branch of the Red Sea, to Sabæa, where they pur-

chased frankincense, myrrh, cassia, cinnamon, and other oriental commodities. But as the navigation of the extreme northern part of the Red Sea was found to be very dangerous, Ptolemy Philadelphus built the city of Berenice, on the western shore, a little to the north of the tropic; and established caravansaries or watering stations at short intervals from thence to Coptos on the Nile, a distance of 258 Roman miles, which was traversed by caravans in one week. It is contended by some writers that the Egyptians traded directly to India in their own vessels; and that Ptolemy Philadelphus sent Dionysius, a mathematician, to make researches in the Indies. Strabo indeed reports, upon the credit of Posidonius, that under Ptolemy Euergetes II., about 140 B. C. a famished Indian was found in a vessel in the Arabian Gulf, who had lost his reckoning, and whose shipmates had perished of hunger; and that he piloted the Egyptians sent to the Indies with presents, from whence they brought back spices and precious stones. But this statement, if credited, would bring the commencement of this commerce to a later age than those writers assign; and we shall soon offer further reasons for doubting whether the Egyptians carried on a direct trade with India, before the Roman conquest.

The Phœnicians, though harassed by the Egyptians upon the Red Sea, still kept up their intercourse with the Indies by way of the Euphrates; and the Greeks themselves, emboldened by the explorations of Alexander as far north as the Oxus or Gihon river, engaged in the transportation of goods down that river from the Indus, and thence by the way of the Black Sea and Byzantium to their own country. According to Strabo, the goods were collected at Patala, the present Tatna, near the mouth of the Indus, and thence carried up this river as far as it was then navigable; after which they were transported by caravans to the Oxus. From the Oxus to the Black Sea there were three different routes. One was down this river to the Sea of Aral; thence to the northern part of the Caspian Sea, and by the rivers Rha (the Wolga,) and Tanais (the Don,) to the Sea of Azoph. But the more common route was from the Oxus river to the Ochus, now the Tedjen, which falls into the Caspian towards the south; and thence by the rivers Cyrus and Phasis, now the Kur and Rioni, directly to the Black Sea. The third route, coinciding in part with the last mentioned, was from the Caspian to the Black Sea over the Caucasian mountains, to the north of the Cyrus and Phasis, and involving a greater extent of land transportation. We are not able to learn that any of these routes were in use before the time of Alexander, but they appear to have been so not long after it.

It was not until Egypt had been conquered by the Romans, 31 B. C., that the merchants of Alexandria, profiting by their new facilities for trade, ventured to send their own ships to India, instead of obtaining their goods at second-hand from the Arabians. This is evident from Strabo, who visited Egypt, 21 B. C., and afterward observes in his Geography, that, as the vessels of Alexandria *now* sail even as far as India, many things respecting distant countries are much better known than they were formerly. He himself saw 120 vessels, small ones of course, sail from Myos Hormos, a port of the Red Sea, to India; and he elsewhere observes that formerly there were not twenty vessels that ventured beyond the entrance of the Arabian Gulf; but now large fleets sail as far as India and the furthest coasts of Ethiopia, from which the most precious articles of merchandise are brought to Egypt. Arrian also, in his *Periplus* of the

Erythrean Sea, before alluded to, informs us that the city of Arabia Felix, a port of Sabæa, probably the present Aden, was called the Happy, because, when as yet no person sailed from India to Egypt, they proceeded only to that city, which was a mart for the merchandise of both these countries. Arrian adds that the passage from Egypt to India was begun by coasting with small ships; and that the pilot Hippalus was the first that traversed this great sea. Dr. Robertson states that Hippalus was the commander of a ship engaged in the India trade; and that having observed the regularity of the monsoons, he ventured, about eighty years after the Roman conquest of Egypt, to stretch boldly across the Indian Ocean to Musiris, which he thus reached by a shorter route. In honor of this discovery, the southwest monsoon was afterward called by his name.

This important improvement in navigation enabled the Alexandrians to use larger vessels, and visit more distant ports; so much did these periodical winds expedite their voyages and increase their safety. Sailing from Berenice, about the middle of the summer, they touched at Ocellis or Arabia Felix, and thence sailed directly to Musiris, now Merjee, or to Barace, south of it, both centrally situated on the western coast of Hindoostan. Thence they usually coasted northward to Baragyza at the mouth of the Nerbuddah, and to Patala, near the mouth of the Indus; and they returned from India with the northeast monsoon, about the time of the winter solstice, thus completing the voyage within the year. According to Pliny, the island of Taprobana or Ceylon was first visited accidentally by the ships of Annius Plocamus, which were driven upon it by a tempest. Ceylon thereupon sent ambassadors to Rome, who gave an account of their own commerce with the Seres, or Chinese. In the time of Strabo, however, a few Egyptian vessels had sailed as far as the Ganges; and they afterward ascended that river to Palibothra, which was either the modern Patna or Allahabad. The Chinese historians, according to M. De Guignes, relate that An-toun, king of the people of the Western Ocean, sent an embassy to Oanti, the emperor of China, for commercial purposes. This is understood to refer to the emperor M. A. Antoninus, who began to reign A. D. 161; but the whole account requires corroboration. Ammianus Marcellinus speaks of great fairs held at Batné, in Mesopotamia, in the reign of Constantius, to which goods were brought from India and Seris, or China.

Arrian, the reputed author of the *Periplus of the Erythrean Sea*, is supposed by Dr. Vincent to have been an earlier writer than Arrian the philosopher, and to have flourished about the middle of the first century of our era. His *Periplus* gives us some minute and interesting particulars concerning the cargoes of the ships then employed in the Indian trade. To Patala they exported woollen cloth of a slight fabric, linen in checker work, some precious stones and some aromatics unknown in India, together with storax, coral, glass vessels, and some wrought silver, money and wine. In return for these, they obtained spices of various kinds, sapphires, and other gems, silk stuffs and silk thread, cotton cloths, and black pepper. To Baragyza they also exported brass, tin, lead, girdles or sashes, melilot, white glass, arsenic, and black-lead, receiving in return the onyx and other gems, ivory, myrrh, various kinds of cotton goods, both plain and ornamented, and long pepper. The exports from Musiris were still more rare and valuable, including pearls in great abundance and of great beauty, various silk stuffs, rich perfumes, tortoise shell, vari-

ous transparent gems, especially diamonds, and pepper in large quantities and of the best quality. This was the commerce which so enriched Alexandria that Firmus, a merchant of that city towards the end of the third century of our era, not only possessed a whole fleet of merchant ships trading in the east, but he was able to maintain an army, and made himself master of Alexandria until he was defeated and slain by the emperor Aurelian.

In the reign of the emperor Justinian, Cosmas, an Egyptian merchant, who had traded to India, and thence acquired the appellation of Indico-pleustes, retired to a convent and wrote a work entitled *Christian Topography*; from which we learn that the Persians having overturned the empire of the Parthians, were then carrying on a trade with India, by the Persian Gulf and its tributary rivers. He says, however, that the merchants only visited India, and not eastern Asia, trading no further than at Serendib, now Ceylon, for the spices and silks of the east. It is he who states that the Persians monopolized the silk trade, until two Persian monks visited China, and observed the labors of the silkworm and the mode of manufacturing silk, of all which they informed Justinian, A. D. 553. By him they were induced to return to China, and to bring away clandestinely the eggs of the silkworm, concealed in hollow canes. These were hatched by the heat of a dunghill, fed with the leaves of the wild mulberry tree, and thenceforward the manufacture of silk became established in Greece. Thence it was soon extended to Sicily, and, in the time of the crusades, to Venice. Craufurd, however, in his *Indian Researches*, denies that silk was raised only in China, quoting the *Institutes of Menu* to prove that it was produced also in Hindoostan. He adds, upon the authority of Sir William Jones, that both silk and indigo were produced there from the earliest period.

The great mass of the commerce with India continued to be carried on by way of the Red Sea, until the conquest of Egypt by the Saracens; when a large portion of it was transferred to the Black Sea and Constantinople. But the Arabians soon resumed their ancient rank as the first commercial people in the world, while the gloom of the dark ages gathered over the nations of Europe. Their conquests gave them many harbors in the Mediterranean Sea, as well as the entire command of the Indian Ocean; and enabled them to establish factories, and extend their voyages beyond the excursions of their predecessors, who had gone no further than the Gulf of Siam. They became acquainted with Sumatra, and the other islands of the Indian Archipelago; and advanced as far as the city of Canton in China, where they became so numerous that the emperor permitted them to have a *cadi*, who judged them according to their own Mohammedan laws. The Caliph Omar, a few years after the conquest of Persia, founded the city of Bassora, to command the Euphrates and the Tigris; and it soon became a place of trade scarcely inferior to Alexandria. The removal of the Mohammedan capital from Cufa to Damascus, A. D. 673, and from thence to Bagdad, after the building of that city by the Caliph Almansor in 762, gave increased importance to the route up the Euphrates; though the building of Cairo, A. D. 984, by Moaz Ladinallah, the Fatimite conqueror of Egypt, and the subsequent policy of the sultans of Cairo secured eventually to Egypt a large portion of the Indian trade.

Meanwhile the city of Venice was rising from the isles of the Adriatic;

and as early as the eighth century it became the great European mart for oriental goods ; as its merchants, driven to seek employment abroad, became the chief traders to Alexandria, Constantinople, and the cities of the Levant. Their career, both of successes and reverses, it is unnecessary here to follow, as it has formed the subject of an able and eloquent article in a recent number of this magazine. The commerce of the east, we may simply remark, was the life-blood of Venice. For this it gained the friendship and alliance of the Mameluke sultans of Egypt and the Greek emperors at Constantinople ; for this it waged long wars with Genoa and Pisa, and afterward with the Greek emperors themselves, when they favored the Genoese ; for this it embarked in the crusades, and fitted out vast fleets to the Holy Land, as the price of commercial privileges there secured to it : and with the wealth thus obtained it made conquests of the neighboring coasts, while robing itself in splendor, and weaving its gem-like islands into a gorgeous crown, as sovereign of the sea.

The crusades gave a new stimulus to oriental commerce, by making the rich productions of the Indies more extensively known to the inhabitants of Western Europe. After the expulsion of the crusaders from Jerusalem, A. D. 1187, Acre, (St. Jean d'Acre,) reconquered by them in 1191, became their chief residence, and was for some time the principal emporium of the Mediterranean ; the Christian merchants of Italy resorting thither to trade with the Mohammedan merchants of the east. But the disturbances produced by the crusades, as well as the unsettled state of Egypt and Syria, had greatly increased the trade to India by way of the Caspian and Azof seas, through Samarcand and Astrachan from Constantinople. The capture of Constantinople in 1204, during the fourth crusade, in which the crusaders were aided by the Venetians, secured to the latter the chief commerce of this city, under the reign of Baldwin and his immediate successors. The Venetians made Tana or Azof, near the mouth of the Don, their chief entrepot for the commerce of the Black and Caspian seas ; while they acquired extensive domains in Greece, and other parts of the empire. But in 1261, the Genoese aided the Greek emperors to regain their throne, in return for which assistance they received Pera, (or Galata,) a suburb of Constantinople, which they strongly fortified, and continued to hold until the Turkish conquest in 1453. They soon expelled the Venetians from the Crimea, or Tauric Chersonesus, and there established Kaffa (or Caffa,) on the ruins of the ancient Theodosia, as the chief seat of their trade with the east. This city was wrested from them by the Turks, in 1474.

The Venetians, thus deprived of the Indian trade by way of the Black Sea, resorted to Damascus and Alexandria for supplies, and succeeded in propitiating the Mameluke sovereign of Egypt. Galvano, in his *Chronology of Discoveries*, states that in the year 1300, the Soldan of Cairo gave orders that the merchandise of India should be carried through that country, as it had been in previous ages. At this period Sanuto, (Sanudo or Sanuti,) a Venetian nobleman, states that articles of small bulk and high value, as cloves, nutmegs, mace, gems, pearls, &c., were carried by way of Bassora and Bagdad, to some port on the Mediterranean ; but all more bulky goods, as pepper, ginger, cinnamon, &c., with a part of the more valuable articles, were conveyed by way of the Red Sea and the Nile, to Alexandria ; this latter route being much the safest. In a speech of Mocenigo, Duke of Venice, about the year 1420, we are informed that the

Venetians sent annually to Egypt and Syria 500,000 ducats in money, besides merchandise, part of which consisted of woollen goods received from Florence.* They had 3,345 vessels, carrying 36,000 seamen; and 16,000 carpenters were constantly employed in their dockyards.

At length arrived the epoch of a mighty change in the Mediterranean commerce with India; when Vasco da Gama, with a Portuguese fleet of three small vessels, after doubling the Cape of Good Hope, reached the haven of Calicut, on the 22d day of May, in the year 1498. The sovereign of Calicut, called the Zamorin, appears to have had a kind of imperial authority over several neighboring kings; this city being then the chief seat of commerce on the western coast of Hindoostan. The Mohammedans of Arabia were the principal traders, and contributed largely, by their duties or customs, to the Zamorin's income. They were much alarmed at the arrival of the Portuguese, their enemies in religion, and their rivals in trade; and they so far prevailed against them with the Zamorin as to induce him to imprison Da Gama, who had come on shore by invitation, and whom they represented as a pirate banished from his native country. At length Gama was released, and after several romantic incidents returned with two ships to Portugal, but without having formed any permanent establishment in Hindoostan. That task was reserved for Cabral, who sailed from Portugal with thirteen ships and fifteen hundred men, and after discovering Brazil on the way, arrived with only six ships at Calicut, in August, 1500. Cabral triumphed over all the intrigues of the Mohammedans; and upon their exciting an insurrection against the Portuguese in Calicut, he attacked and destroyed ten of their largest ships, slew, it is said, six hundred of their men, and made slaves of the remainder.

The Portuguese soon obtained a firm foothold in India, notwithstanding repeated attempts to dislodge them. The Venetians, roused to fury by the rapid decline of their trade, stirred up the Mameluke Soldan of Cairo, whose interests also suffered from the same cause, first to demand of Pope Julius II. and King Emanuel, that the Portuguese should retire from India; and on failing in this demand, to attempt to expel them by force. He fitted out a fleet of twelve ships of war at Suez, procuring the timber from the forests of Dalmatia, owned by the Venetians, who also supplied artisans to direct the building and equipment. This fleet, manned by the Mamelukes, was met and defeated by the Portuguese under Almeyda, in 1508; and Egypt was soon after subjugated by the Turks. But in 1538, Solyman the Magnificent, actuated by the same motives, fitted out another more powerful fleet in the Red Sea, under a confidential officer, with such a body of Janizaries as he deemed sufficient not only to drive out all the Portuguese from India, but to seize upon some commodious station in that quarter, and thence extend his conquests. This expedition also was repulsed, by splendid efforts of valor and constancy, and driven back with ignominy into the Arabian harbors. Thus the Mohammedan commerce with India was greatly restricted, while Portugal, Spain, Holland, France,

* In those days England exported some woollen cloth, but much more wool in a raw state; and though the Venetians imported into England a vast variety of spices and other expensive articles, the balance of trade was in favor of the English, to the amount of 100,000 ducats annually.

and Great Britain, successively bore away the prize, not without oppression and slaughter of the unhappy natives.

At the period of the Portuguese conquests, according to Barros, their own historian, Malacca, owing to its central situation, was the great emporium of the native commerce of India. Thither were carried the cloves, nutmegs, and mace of the Molucca and Banda islands, the sandal wood of Timor, the camphor of Borneo, the gold and silver of Luçonia, and the pepper, drugs, dyestuffs, perfumes, rich silks, porcelains, &c., of Java, Siam, and China, to be exchanged for the merchandise of Hindoostan. The cities of Calicut and Cambay on the western coast of Hindoostan, Ormus in the Persian Gulf, and Aden on the south coast of Arabia, were particularly enriched by the trade with Malacca; and they also traded to Pegu for rubies and lacker, to Bengal and the Deccan for cloths, muslins, and chintzes, to Cachemire for shawls, to Kilkare (Calicare or Karical) for pearls, to Narsinga and Golconda for diamonds, to Ceylon for cinnamon and rubies, and to the coast of Malabar for pepper, ginger, and many other spices. From Ormust, the oriental goods were carried to Bassora, and thence, by the Euphrates and by caravans, to Armenia, to Trebizond on the Black Sea, and to Aleppo, Damascus, and Beyruth, where they were sold to the Venetians, Genoese, and Catalonians. From Aden, goods were transported up the Red Sea to Tor or Suez, and thence in three days to Cairo, where caravans were supplied for the interior of Africa. The remainder, with the ivory and gold of Africa, was carried down the Nile to Alexandria. Some India goods were also carried entirely overland, by the way of Cashgar and Balk, even as far as Russia and the coasts of the Baltic Sea.

The immediate effect of the Portuguese commerce with India was to cause a great reduction in the prices of oriental commodities. The Venetians still sent their ships to the great mart of Antwerp, but they could no longer compete with the merchants of Lisbon, although the latter bought at high prices from the king's warehouses, owing to the royal monopoly. As a last attempt, they made a proposal, in 1521, to buy all the spice imported by the king of Portugal, at a stipulated price; a proposal which was of course rejected. The fate of Venice was sealed; the fountain of her wealth was not exhausted, but the current was chiefly turned into another channel, in which the oriental commerce of Europe has continued to flow, varying only in the recipients of its golden tide, down to the present day. The Mohammedan cities of the Mediterranean still maintain some intercourse with India, but it is chiefly for the purpose of supplying themselves with the luxuries of the east, and not as the carriers of Christendom, which they were before the voyage of Da Gama. Damascus still sends forth its annual caravans, as when, in 1432, Brocquiere described them as composed of 3,000 camels; and they still number from 100,000 to 200,000 souls; but it is to perform their annual pilgrimage to Mecca, and there to trade with the similar annual caravans from Cairo, for the merchandise of Africa. Alexandria is mostly in ruins, Bassora and Bagdad have much declined; and the commerce of the Ottoman empire alone sustains its remaining cities in a comparatively moderate state of opulence and splendor.

Great efforts have been made by the Russian government, ever since the light of civilization dawned upon it, to secure an adequate portion of the commerce with India. The conquests of John Basilowitz, and the ex-

pedition of Peter the Great to the Black Sea, opened the way, by which their successors have duly profited. The internal navigation from the White and the Baltic to the Black and Caspian seas has been improved, by canals and other extensive works ; and new facilities have been afforded to the intercourse between the southern territories of Russia and the Persian Gulf, the Indies, and the frontiers of China. The Russians were formerly permitted to send an annual caravan directly to Peking for the purposes of trade ; it being stipulated that the number of persons in each caravan should not exceed two hundred, and that they should be secluded, at Peking, in a caravansary allotted for their use. But the Chinese government became jealous of these visitors, and after various negotiations it was finally agreed that the trade should be carried on at two small contiguous towns, one on the frontiers of each country. Kiachta in Siberia and Maimatchin in Chinese Tartary, south of Lake Baikal, were selected for the purpose ; and there the metals, furs, leather, cloth, glass, &c., of Russia are exchanged for the tea, silk, cotton, porcelain, toys, &c., of China. The annual value of this trade is supposed to amount to about 2,000,000 dollars.

The application of steam to oceanic navigation as well as to extensive land-carriage, may yet restore the European commerce of India to its former channels by the Red Sea and the Euphrates. In consequence of resolutions passed by a committee of the house of commons in 1834, the East India Company, early in 1836, commenced running a line of steam packets from Suez to Bombay, by which the British mails have since been transported to India. The vessels employed for this purpose were the *Hugh Lindsay*, built in 1829, and the *Atalanta*, *Berenice*, and *Semiramis*, built in 1836 ; all of which, we believe, are still in service, as mentioned in this Magazine, Vol. 5, p. 185, where further particulars are given concerning them. The route by way of the Euphrates has also been recently examined, and found to be more feasible than was anticipated. Col. Chesney, who was sent by the British ministry in 1835, ascertained that the river Orontes is navigable as far as Latakia, the ancient Antioch ; and that a road might easily be constructed from thence to Belis, on the Euphrates, a distance of forty-five leagues. In 1840, we are informed that the East India Company sent a vessel with two iron steamboats, which ascended the Euphrates to Belis, 1100 miles from its mouth, and found that it was easily navigable, except where it was obstructed towards its mouth by the remains of ancient water-wheels, which could readily be removed. It is stated also that coal and iron are found in abundance at the foot of Mt. Taurus, in the midst of extensive oak forests. If this be all true, it would seem to be a slight task for British enterprise to construct a railroad from Belis to Latakia, or to Scanderoon, (*Alexandretta*), and thus connect the navigation of the Euphrates with that of the Mediterranean. This would be the shortest route between England and India ; and it is supposed that the journey from Bombay to Liverpool might be made in thirty-three days : viz, sixteen days from Bombay to Belis, two from Belis to Scanderoon, and fifteen days from thence to Liverpool ; which would be a material abridgment of the time now employed. We wish all success to the enterprise ; regarding all such improvements in the means of intercourse between distant regions, as among the most powerful agents for civilizing and evangelizing the whole human race.

ART. II.—THE EQUATION OF PAYMENTS.

THE ordinary process for the equation of payments produces an *equitable* result, but at great expense of time and labor; and it is unquestionably a desideratum to simplify the process and expedite the result without compromising its accuracy. But there are questions involved in the interpretation of the statute for the computation of interest which require consideration before a *legal* equation can be obtained. This is the language of the statute: "For the purpose of calculating interest, a month shall be considered as the twelfth part of a year, and as consisting of thirty days; and interest for any number of days less than a month shall be estimated by the proportion which such a number of days shall bear to thirty."

"Whenever in any statute, act, deed, written or verbal contract, in any public or private instrument whatever, any certain rate of interest is or shall be mentioned, and no period of time is stated for which such rate is to be calculated, interest shall be calculated at the rate mentioned by the year in the *same* manner as if the words per annum or by the year had been added to such rate."

This latter clause determines the manner of computing interest for *any* rate to be the same as for seven per cent. Now, it must be evident that the average date of an account or the mean time must be that date or time on which, if interest were computed before and after it, there would be no balance; and in order therefore to obtain a *legal* mean, we must compute interest according to the provision of the law. It may here be observed that those who average accounts by the usual formula, must in consistency advocate the estimate of interest on that construction of the law which considers each day as the one 360th part of the year.

There are *four* distinct methods of computation in use, and as they produce varieties of result, so they may produce various means when applied to the equation of payments. It is, as we have stated, usage with many to estimate interest by calendar months and days, considering each calendar month as the one twelfth part of a year, (or thirty days and five twelfths of a day,) and the day as the one thirtieth part of the month; by this method the day will actually yield $\frac{1}{360}$ th of the rate for the year, and the inequalities in the length of the calendar months will strictly create a different rate of interest for each class of months; and the combination of these various rates will produce results utterly at variance with equity and the probable intention of the law. We are informed that it is customary to compute interest on accounts in suit, judgments, &c., by calendar months and days, not so much because this is supposed to be the intention of the law, as because it is believed to be the construction least liable to contest, and may claim the support of general usage. We are not aware of any interpretation of the statute by our courts which settles its principle definitively. We beg attention to the various results of this general application of the law, and its manifest violation of equity. The actual effect of the legal provision as generally applied is not to establish a uniform rate of interest, but to create a diversity of rates, and utterly to fail of any wise intention.

The evil is of far greater magnitude than is at first view apparent; and it demands attention and remedy. For instance, the time from any day in January to the same day in February is considered one month or $30\frac{1}{2}$ days, while in truth the time is 31 days; instead therefore of obtaining

interest for this time at the rate of seven per cent for the year of 365 days, we obtain it only at the rate of seven per cent for 372 days, less than $6\frac{87}{100}$ per cent per annum : again, the time from any day in February to the same day in March being considered one month, we obtain interest for this time at the rate of seven per cent for 336 days, or more than $7\frac{6}{100}$ per cent per annum ; during leap year we obtain interest for this time at the rate of seven per cent for 348 days, or more than $7\frac{1}{3}$ per cent per annum : again, the time from any day in April to the same day in May being considered one month, we obtain interest at the rate of seven per cent for 360 days, or nearly $7\frac{1}{10}$ per cent per annum ; and in short, for no time less than a year is it possible, by this construction, to obtain interest at the rate of seven per cent for the year of 365 days, but interest will be obtained of as many rates as these combinations of seven per cent for 336 days, for 348 days, 360 days, and 372 days, will furnish, in fact at a rate ranging from $6\frac{87}{100}$ per cent per annum to $7\frac{61}{100}$ per cent per annum—nearly 1 per cent. Many of the estimates by this method must be deemed usurious, or inequitable, and the slightest consideration of the unequal operation of this construction will justify its immediate abandonment. It affords no argument in favor of this usage that the average of the rates is an equitable average ; if the method of computation, whatever it be, should produce *any* inequitable results, there is sufficient ground for its condemnation and rejection ; an equitable method can be applied, and if it conflict with the statute book, the legal provisions should be amended : yet when a law exists, it should govern ; and till the amendment of an inequitable law, the first proper question to be discussed is, what is the intention of that law ? The authority of the law is independent of its equitable provisions, and till amended it should be enforced and obeyed in all its imperfection. The strict enforcement and obedience of the unjust law is the surest pledge of its remedy and correction. Legislation is surely competent to the enactment of an inequitable law, and every ununiform rate of interest must be deemed inequitable. An opinion prevails that a uniform rate yielding a given per centage in more or less than precisely one year is inequitable and erroneous ; but in truth, it is the necessity of the equitable legal rate that it be uniform ; there is no injustice in a rate yielding a given per centage for any given number of days.

The second method of computation alluded to estimates by calendar months and by days, considering each day as the $\frac{1}{365}$ th part of the year. This method approximates to equity more nearly than the other ; yet we cannot perceive that any possible construction can be given to the law which will support this usage ; for, whatever time may be determined to constitute a legal month, this determination cannot affect the fact that the law recognises each day less than thirty as the $\frac{1}{360}$ th part of the year. Decisions, it is possible, may have been had in our courts establishing that each and *every* day shall not be considered as the $\frac{1}{360}$ th part of a year, but there exists scarcely a probability that these decisions are intended to apply to any number of days less than thirty. The statute we have quoted contains all the authority we need examine, for former conflicting laws are abrogated by its passage, and such a decision as that supposed would be the most flagrant and palpable violation of the letter of this law ; we therefore hesitate not to say that the law distinctly and unequivocally recognises each day less than thirty as the $\frac{1}{360}$ th part of a year.

The third method considers each day as the $\frac{1}{365}$ th part of a year, and

certainly has a great preference over either of the former—it is equitable in three of every four years; but it produces in leap year results which are too large by the $\frac{1}{366}$ th part. This is a slight objection to its adoption. There is, however, a strong reason why the method should *not* be adopted. It can by no possibility be reconciled with the law; and however equal it may be in its rate, it is illegal and cannot be sustained. There prevails with many an opinion that this method *must* be the legal intention, because it is uniform in its rate and exact in its results. Many subject themselves to needless labor, adopting tedious processes of computation, because they would advocate and establish a method based upon strict justice, and destroy diversities of usage. The spirit which prompts them is commendable, but the remedy must be found in the amendment of the law. Till the law is amended, diversity of practice will prevail, and the unscrupulous will not hesitate to adopt that method which will most promote their interest, urging law and usage as may best fit their purposes. The methods given in the December number were predicated upon 360 days to the year, instead of 365 days; we believe the estimate of 360 days to be *legal*, but those methods will easily furnish *equitable* interest in the following manner. From the balance or amount of interest on an account at seven per cent, as ascertained by those methods, deduct the $\frac{1}{365}$ th part, and the result will be the same as if the interest had been estimated on each amount separately by the equitable process. A writer in this Magazine for January suggests a method of estimate for equitable interest at seven per cent similar to that in use for six per cent, i. e. multiplying the dollars of the principal by the days, and dividing by a common divisor. In many cases this method would obtain results sufficiently accurate, but it will be found that the divisor obtained has an interminable decimal, which would occasionally seriously affect its usefulness. The same objection may be urged against the use of "Burritt's Universal Multipliers." The theory upon which they are constructed would be valuable, if the multipliers could be brought to an immediate decimal termination; as they cannot, the theory is worthless. The multiplier for one day at seven per cent for 365 days for instance, instead of being 19, is 19.178082; and so on, repeating this series to infinity. The worthlessness of the theory can easily be established by a comparison of results obtained by the use of these multipliers for various sums and times, where the product of the multiplication of the sums by the times is the same; for instance, it must be apparent that the interest on \$1,000 for 8 days is the same as \$8,000 for 1 day, or \$2,000 for 4 days, or \$4,000 for 2 days; because the multiplication of the sums by the times yields the same product. Now, by the use of Burritt's Multipliers, we produce, as the interest of \$1,000 for 8 days, at 7 per cent for 365 days . \$1.53

Also, the interest of \$2,000 for 4 days 1.54

Also, the interest of \$4,000 for 2 days 1.52

And the interest of \$8,000 for 1 day 1.52

The first result only is correct. The exact answer would be 1.53.424657; and so on, repeating the eight terminating decimals ad infin. This result can be obtained neither by the use of *multipliers* nor *divisors*. We repeat that the spirit of those who object to the estimates predicated upon 360 days to the year is most commendable, and it was far from our desire to attempt a justification of an illegal or inequitable usage among merchants, on the plea of a saving of time or labor in making computations. The law is ambiguous and needs amendment, and should be so amended as to

secure each of the three following objects:—1st. The establishment of an *invariable* rate of interest; 2d. (and some concessions should be made to promote this object,) The rate should admit of *ease and rapidity of estimate*; and, 3d. The simplicity and distinctness of the law should *forbid its misconstruction or misapplication*. With such a law, all diversities would vanish, and much litigation be prevented. There needs no legislation as heretofore as to the *method* of estimate—the *rate only* needs to be distinctly determined. Suppose it to be seven per cent for 365 days, seven per cent for 364 days, or seven per cent for 360 days, and there is no possibility of misconstruction; the day is a definite, uniform term of time, the month or year is not. Out of the indeterminate length of the month or year arises the only ambiguity of the present statute. The remedy is simple, and if the rate of 364 days were adopted, we could easily multiply the amount of the dollars of the principal by the days, and divide by 52 to obtain our results; or if the rate of 360 days were established, the formulas treated of in the December number of this Magazine would enable us to obtain our results with the greatest possible speed and accuracy. This latter rate has a preference over the other for its ready applicability to a variety of percentages.

The fourth method considers each day as the $\frac{1}{360}$ th part of the year, and is, we believe, the legal method, unless a computation by calendar months was intended by the words, "a month shall be considered as the twelfth part of a year." This, however, can scarcely be deemed their intention, for immediately there follow as a qualification the words, "and as consisting of thirty days." But we do not intend to discuss the interpretation of the law; our intention has been to point out the varieties of methods of estimate, and to show that the equitable may not be the legal method. We shall now proceed to our more immediate subject of Equations, and the equalization of terms of credit.

We have said that the average date of an account must be that date or time on which no balance of interest would be created; and unless the construction of the law be that each and every day is to be considered as the $\frac{1}{360}$ th part of the year, the usual method of average is manifestly illegal. We have most undeniably no right to average one account with another, if we either increase or diminish the interest on the items of that account when made up to a given time. The results of the estimate of interest on each item from its respective maturity on the one hand, and on the total amount from the mean maturity on the other, up to any given date, must correspond, or the process of average is erroneous. Now, if it be considered the intention of the law to compute interest by *calendar* months and days, and an account embraces a period of several calendar months, it is manifest that there may arise considerable discrepancy between the equitable and the legal average. We shall apply the formulas heretofore alluded to, for the purpose of ascertaining an average date both equitably and legally. Suppose it be required to average the following items of an account, viz:

	Dollars.		Int. 6 per cent.
January 1, . . .	520		
" 5, . . .	363	4 days .	.24
" 10, . . .	427	9 " .	.64
	<hr/>		<hr/>
	1310		.88—Carried forward.

	Dollars.		Int. 6 per cent.
Brought forward—	1310		.88
" 16, . .	928	15 days	2.32
" 19, . .	623	18 "	1.87
" 23, . .	330	22 "	1.21
" 25, . .	262	24 "	1.05
" 27, . .	561	26 "	2.43
" 28, . .	986	27 "	4.44
	<u>\$5,000</u>	17 "	<u>14.20</u> —Average 18th Jan.

We have ascertained the number of days from the first date to each subsequent date, and computed the interest on the respective amounts; the total amount of interest is the amount which would accrue on the total amount of the account from the first date to the average date. The ordinary method is the multiplication of the respective sums by the days after the first date, and the subsequent division of the total of these products by the total amount of the account; the method we here adopt is in fact the multiplication of the respective sums by one *sixtieth* of the time, and a subsequent division by one sixtieth of the total amount; the result, it is apparent, must be the same in either case. And it may be observed, that an equitable average can be obtained by using aliquot or decimal parts, either of the sums or times, or both, as multipliers and divisors. The columns of days and amounts of interest may in general be inserted in the account-book in a narrow margin, by which the labor and danger of transcribing may be prevented; and the amounts of interest, when ascertained, may be set down immediately in the column appropriated to that purpose. The method here employed requires but from one eighth to one quarter the ordinary labor, its result is exact, and its liability to error is proportionably diminished. It must be obvious that the result of an average by the means of interest will be unaffected by the rate of interest, provided only that that rate be uniform.

It is usual to average the times of payment, and not the times of sales or the dates of the transactions, when the term of credit is uniform; the labor and time occupied in ascertaining the times of payment may be prevented, by an average of the times of sales or dates of entry, and our result materially accelerated.

Let it now be granted that the estimate of interest by calendar months and days is *legal*, and let us suppose a legal average of the following items of an account to be required, viz:

	Dollars.	Time.	Interest.
March 10, .	830		
" 26, .	424	16 ds.	1.13
April 4, .	315	25 "	1.31
" 20, .	720	1mo. 10 "	4.80
May 8, .	536	1 " 28 "	5.18
" 23, .	912	2 " 13 "	11.10
June 15, .	648	3 " 5 "	10.26
" 28, .	137	3 " 18 "	2.47
July 12, .	796	4 " 2 "	16.18
" 18, .	478	4 " 8 "	10.20
Aug. 10, .	204	5 "	5.10
	<u>6,000</u>	2 " 8 "	<u>67.73</u> Average 18th May.

We ascertain the interest by calendar months and days at 6 per cent, estimating the months as twelfth parts of the year, and days by the proportion they bear to thirty, and we find the *legal* average to be 18th May; the *equitable* average is one day later. It may here be suggested that in case an account contains many items and embraces a considerable extent of time, and the method of average above illustrated be adopted, we may compute the interest on the respective items for the number of the days of the month opposite to them, and add the interest by months on the whole amount included in each month: for instance;

Let us suppose the time on an amount due the first of a month to be five months and one day; (by taking the last day of the month preceding the date of the first item as the starting point, the excess of days will always be the days of the month,) then to each succeeding amount during that month the time would be five months and a number of days less than thirty; and the computation would be much simplified.

Required the interest of the following sums, viz:

					Interest for days.
Jan. 1,	420	dolls.	5 months 1 day	.	.07
" 3,	641	"	5 " 3 days	.	.32
" 8,	330	"	5 " 8 "	.	.44
" 12,	913	"	5 " 12 "	.	1.83
" 15,	624	"	5 " 15 "	.	1.56
" 18,	360	"	5 " 18 "	.	1.08
" 20,	180	"	5 " 20 "	.	.60
" 22,	450	"	5 " 22 "	.	1.65
" 24,	282	"	5 " 24 "	.	1.13

On 4,200 add 5 months 105.00

Total interest \$113.68

Instances like the above will often occur in an account of sales, and if the principle of estimate above applied, be adopted, it will be found that our calculations may be made with increased rapidity and probability of accuracy.

In cases where both sides of an account current are to be averaged, and the time of payment of the balance of the account without interest ascertained, we shall, by the use of the formulas for estimating interest, be enabled to solve the problem readily.

Suppose the debit of the account to be 3600 dollars, average due 10th Sept.—and the credit of the account to be 3000 dollars, average due 31st August—

When will the balance of 600 dollars be due?

The interest on the credit 3000 dollars to 10th September will be \$5.00 *credit*; and that amount will yield 50 days interest on the balance of the account, 600 dollars; so that the balance will be due 50 days after 10th September—viz, 30th October; i. e. the amounts 3000 dollars due 31st August, and 600 dollars due 30th October, will average 3600 dollars due 10th September.

Again: Suppose the debit of an account to be \$3600 due 31st August, and the credit to be 3000 due 10th Sept.

When will the balance of \$600 be due?

The interest or discount on 3000 dollars from 31st August will be \$5.00 *debit*; and, as before, that amount yields 50 days interest on the balance, 600 dollars; so that the balance will be due 50 days prior to 31st Aug.—viz, 12th July; i. e. the amounts 600 dollars due 12th July, and 3000 dollars due 10th September, will average 3600 dollars due 31st August. The debit and credit amounts may be transposed, and the problem solved by the same method. This, it will be seen, is the *equitable* solution.

Again: If we supposed a debit balance of interest made up to a specified time, and a debit, or credit balance of account, we can antedate or extend the payment as the case may demand; and the reverse supposition admits of as ready an adjustment.

In the case of a computation of interest *beyond* a given day, on both sides of an account, with a view to equate the payment, it must be evident that there exists no necessity of equating either side, because the balance of interest will extend the payment of the balance of the account beyond the given day, or antedate it, as it shall be found to be on the larger or smaller side of the account; i. e. adding to the smaller side of the account the balance of account, it must be so dated that, interest being computed beyond the given day, the amounts accruing upon the two sides will balance; or in other words, each side being equated, the day of payment would be the same.

These methods have a peculiar applicability to the equation of accounts of sales, and, because of their rapidity and exactness, deserve consideration.

We proceed then in the first place to equate the sales in the manner already illustrated; and, if the term of credit be uniform, we equate the *times of sales* instead of the times of maturity, thereby, at the very outset, saving ourselves no inconsiderable labor. We are aware that a *slight* objection may be urged to this method, and to those who urge it we have only to commend the old and more tedious process. The method we propose is exact enough for all practical purposes, especially if legal interest should be calculated by calendar months and days. Having obtained the mean time of sale, we easily ascertain the mean time of payment; and, were all charges upon the sales payable, as the charge of guarantee is, at the mean maturity of the sale, our labor would already be completed; but, we have now to adjust the charges so that the payment of the nett proceeds shall be legal or equitable. Usage, we believe, has established that neither the charge of guarantee nor that of commission shall be considered as earned or due till the maturity of the sales; and yet it is a custom with some, in discounting sales, to deduct discount on the *gross* sales from the *nett* proceeds; this method however is too manifestly unjust to receive any notice but the most unqualified censure and condemnation. In order to arrange the charges, let us make a statement of account, and it will be obvious that the methods before alluded to will afford the means of its immediate adjustment.

Suppose the gross sales to amount to 3050 dollars, and to be due by average 8th September; and the outlay for freight, drayage, labor, advertising, insurance, and all other cash expenses to be 50 dollars, and the average time of payment to be 1st January; and the charges for commission and guarantee to be 5 per cent.—i. e. \$152.50—the nett proceeds of the sales being \$2847 50:

This will be the statement of account :

A B in account with C D—

By amount of gross sales due 8th Sept.	Cr. \$3050
--	---------------

Dr.

To cash paid charges, averaging 1st January . . .	\$50 00
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To commission and guarantee on sales due 8th Sept. . .	\$152 50
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If we omit in our statement those items which cancel each other, we shall have the following, viz :

A B in account with C D—

Cr.

By amount of gross sales, deducting commission and guarantee, due by average 8th Sept.	\$2897 50
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Dr.

To cash paid charges averaging 1st January . . .	\$50 00
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Now, by the method given, estimating interest at 6 per cent on 50 dollars from 1st January to 8th September, (let us adopt the computation by months and days,) we have 8 months and 7 days interest on 50 dollars—say \$2.06, which we find equivalent to 4 days interest on \$2847 50; from which it is established that the nett proceeds should average due 12th September.

It may be remarked that the application of this principle will be found fully to repay the attention and consideration it may require; and we would repeat, that though we would not adopt a false method on the plea of expedition, we should steadily aim at an abridgment of labor, and the use of any means which, while they promote this object, do not compromise law or equity.

It will be seen that the process of equation we have illustrated is applicable only to sales having a uniform term of credit; but, there is a speedy method for the equalization of terms of credit, which will admit of its application to every variety of instance. There is, let it be allowed, a general term of credit—admitting this, we proceed to equate the *times of sales*, and in our process arrive at an amount of interest which would accrue on the gross sales after the first date to the time of average; from this amount, on the one hand, we deduct, on those amounts sold on *shorter* time than the general term of credit, interest for that difference in time; and to this amount, on the other hand, we add, on those amounts sold on *longer* time than the general term of credit, interest for that difference in time. The result it is evident is accurate, or nearly enough so to serve practical purposes. Suppose 1058 dollars of an account of sales to have been sold at six months credit, instead of eight months; (the credit of the rest of the account,) from the total of interest at 6 per cent, accruing from the date of the first sale to each subsequent date on the respective amounts, we deduct two months interest on 1058 dollars, or \$10.58, and proceed as before illustrated. If any portion of the account be sold on a longer term than the general term, interest is to be added; and indeed scarcely any delay is suffered, even by quite a variety of terms of credit in the same account.

In conclusion, we would suggest that the readiest examination of an equation is the estimate of interest by the formulas given in the December number of this Magazine, on amounts both prior and subsequent to the average date—the two totals of interest, if the equation be exact, will balance—and the formulas alluded to are applicable to *any* construction

of the law : and again we repeat, that we are not content, while we suppose ourselves in possession of useful knowledge, to retain it unshared with others ; if it has been valuable to us, it may be to them also, and its usefulness to us is unaffected by its becoming common property.

ART. III.—FREE TRADE FAIRLY RECIPROCATED :

OR COUNTERVAILING PROTECTION TO OUR HOME INTERESTS.*

THE costly experiments in political economy and the disastrous effects of super-legislation, incidental to our free and theorizing republic, and perhaps necessary to its lusty and mature growth, are at this time strongly evidenced in our national concerns. The government and the people, each charging faults upon the other, find themselves confused and distressed, without much prospect, we fear, of a speedy improvement in their condition. But knowing the tenacity with which a youthful constitution clings to life when even despaired of by the most skilful physicians, we still have hope that all may yet be well, and that light will eventually burst upon us, the more glorious for the morning clouds which now obscure our ascendancy.

Every American who feels a proper solicitude for the welfare of his country, in the present trying crisis, may do something towards benefiting her condition, as well as his own. Is he a party-man ?—He may give up his party as the good of the commonwealth requires it. Is he a northern man, or a southern, “from the Orient or the drooping West,” a farmer, planter, merchant, or manufacturer ; is he dependent upon the labor of his own hands or those of others for his support, operating with his intellect, his skill, his capital, his industry or influence in any way ?—Let him now come forth nobly and resign his selfish prejudices for the weal of the whole Union. Much may be done by concession ; more, by confidence in one another. The reaction of excessive impulse in our national growth has now nearly destroyed the momentum necessary to our onward career. Confidence, concert, and a united effort will soon, however, dispel imaginary fears and remedy many of the actual evils that betide us. We have only to recollect that

“We are a world by ourselves and disdain a division ;”

and then we need not fear, even if “the Philistines be upon us.”

Thus much is premised to prepare the way for a temperate discussion of the important subject placed at the head of this article, and upon which, until lately, there has been much difference of opinion among our ablest political writers. A late number of this journal contained an attempt, on

* The articles referred to in the discussion of this subject, are,

1st. Impolicy of Countervailing Duties, by Condé Raguet, Esq. in the *Merchants' Magazine*, Vol. 6, No. 1.

2d. Address of the Home League to the people of the United States.

3d. Speeches of the Honorable Messrs. Hudson and Winthrop, of Massachusetts, on referring the subject of the Tariff to the Committee on Manufactures.

the part of a once popular writer on free trade and finance, to prove the impolicy of countervailing duties. With all personal respect for the author we must be allowed to say, we think this the feeblest of his productions, and are therefore emboldened to attempt its refutation.

We shall not, in the onset, arm ourselves, as he does, with a scripture quotation from the First Book of Kings. We certainly do not "*hate him*," nor dislike *the truth*. But modesty bids us ask "what is truth?" Is it not our interest, as much as his, to seek it faithfully? And shall we not claim the same right to declare what we conscientiously and practically find it to be, as he does, however gifted he may be in the conviction of his own infallibility? Were he not a victim to the monomania of political economy *in the abstract*, we should, perhaps, feel ourselves bound to yield up our opinions to this venerable gentleman, announced as the president of the Chamber of Commerce of Philadelphia—one of those *learned philosophers* who denounce *practical men*, as *pretending* to understand what they teach, and who do not scruple to charge those who differ from them with "*ignorance and quackery*." But even the name of Condé Raguét, Esq., vaunted as the champion of free trade in this country, can no longer sanction such presumption, nor can his waning influence be restored, however lofty his position, or lucrative his talents.

We profess ourselves to be among the *practical men* who *think and work*, and not of that class of *philosophers* who are too impracticable to *work* as they *profess to think*. We respect *practical* economists more than *political*. We verily believe the delusive theory of free trade, *as contended for by our political writers on the subject*, has cost this country more than all the wars we have ever been engaged in. Perpetual motion was never more visionary.

These abstractionists, after ten years trial of a compromise between nullification on one side and protection to American interests on the other, are again in the field, marshalled under the bâton of philosophy, and armed with the cry of intolerance and persecution against the productive and commercial classes. A new adjustment of these conflicting opinions is soon to be made, and who is there that is not sick enough of wrangling discussions, long speeches, and vascillating legislation, not to wish that it may be judicious and lasting? If our future prosperity and peace be steadily desired, the subject ought to be now canvassed and settled, without threats from any quarter, and least of all from that party whose very existence is involved in the result of any compromise that may be made.

We deplore the compromising taint in our constitution; but it is inherent, and we fear must be hereditary. Our fathers had to make the best of it; so let their sons; and if antagonistic elements are mixed up in our national composition, so at war, that it requires all the wisdom, virtue, and patriotism of a united family to prevent the dreaded rupture which would be fatal to our Union, let us all aim at the high renown of so conducting, that centuries may yet elapse before our onward career will be arrested, and the invidious hopes of foreign despots be gratified.

The crisis in regard to the tariff which is now agitating the country, like every thing that affects the national purse, is one of no easy management. The discussions alluded to at the commencement of this article, and various others of great merit by practical and theoretic thinkers, render it unnecessary for us to enter largely into a statistical or financial examination of the subject. The leading topic we wish to discuss, is THE

UNION of free trade fairly reciprocated, with such a discriminating tariff as will faithfully and permanently protect our home interests, without disparaging any one branch of them, whether commercial, agricultural, planting, or manufacturing. As to the protection of our revenue, that seems to be conceded on all hands. The maintenance of a sound currency, too, if we are ever to have one, is involved in the question of *countervailing duties for the benefit of the whole country*, without any supposed sectional protection or preference of any part. This branch of protection, consequently, seems also to be conceded by those who object to any special favors to the mechanic or manufacturing classes. To resent aggression, is a more natural feeling in some sections of the country, than the encouragement of home industry, free labor, or even free trade. But duties, whether for revenue, countervailing, or protective, must in some way be levied; and what we now design to prove is that they will, in no way, militate with the principles of free trade as practised by any nation with which we have commercial intercourse.

By free trade, we mean FAIR TRADE; such as exists or should exist between independent nations; not that which is proffered by wily diplomatists, nor such as professors of political economy would have, if their Utopian schemes could be realized. We cannot go back to the days of Adam and Eve. The *knowledge of good and evil* was their choice, and is now our birthright. With this came *labor*, and whether labor is to be considered as a blessing or a curse, it is our inheritance and *must be protected*. For ourselves, we cherish it as a boon. It will not do to mourn over it as a curse. To the freeman, it is not so. To those, alas! to whom knowledge of moral and mental good is denied, and only ill is given, existence even may be a doubtful blessing; but even *servile property* must be *protected*, or our free constitution is violated.

The protection of American labor, therefore, and the promotion of reciprocal commerce, is the starting point in our discussion. We are indebted for this creed to the Home League, formed in New York by a convention of citizens from all parts of the country, without sectional distinction and above party bias; and what American is there that does not respond to its principles? Is it asserted that this creed contains a declaration contradictory and impracticable? Those who would so have it, may make it so to seem; but, fairly considered, we cannot perceive that there is, or can be, any thing antagonistic between a fair, free trade with all the world, and a due protection to our home industry. The perpetual mistake made by the philosophers in political economy is, that there is such a thing as free trade practised between nations, where an exchange of equivalents is given and taken honestly. There is none, and can be none. The selfish, cunning nature of man is incapable of such a commerce. A confederacy of all the sovereigns of the earth could not maintain it. If formed, it would be only a rope of sand—a smoke wreath, which the first breath of conflicting wind would dissipate. Those who profess its adoption, chuckle at their success when they find others duped by it. Russia, once caught in the toils of English sophistry in this way, bitterly bewailed her error, soon abandoned it, and confessed to the world her folly. We Americans have also played the same selfish game, when we have *condescended* to make *treaties* with the poor Indians. *Talk, and free trade*, have robbed them of their homes. A few miserable trinkets were the equivalents for which these *unprotected* savages have bartered away their con-

tinent. England's practical free trade goes to a still greater length in her boasted Indian empire. Let her conquests there not be mentioned, nor her vassal population, but is she not now forcing free trade on the defenceless Chinese, bribing them with smuggled opium, and nullifying the temperance edict of the Celestial Emperor? Who is not heart-sick at such abominable impositions?

But we come now to analyze the theory, that free trade is opposed to the protection of our home interests, and to deny the impolicy of countervailing duties. Our readers need not be apprehensive that we shall launch into a dry discussion of the tariff. We are neither inclined nor prepared to handle that perplexing subject. It is one of no easy adjustment. But our political relations with foreign countries, the war in disguise, which is now carried on against our commerce, as well as manufactures and agriculture, and *the preparations for annihilating our planting interests*, are subjects of much graver import.

No commerce nor trade between nations is entitled to be termed free, unless prosecuted upon principles of reciprocal benefit. Any nation that will tolerate the exclusion of its products, or such prohibitory duties levied on them as will exceed the amount levied on the goods of the same country in exchange, ceases to be independent and actually becomes tributary. Had international trade been commenced and carried on upon the exchange of strictly reciprocal equivalents, or could it be so carried on, a possibility which, having never yet occurred, we are at liberty to deny, then protective duties to be reciprocal would have to be strictly equal everywhere. But now we must take things as we find them. A young country like ours cannot of course afford to set the example of keeping open house as it were, when all those we traffic with charge us for our intercourse with them. Such liberality we should deem rather transcendental; and yet, if we understand the theorists of Mr. Raguets school, to this extent they invite us to lead off in the dance of free trade. That protection of their own interests which we accord to others, shall we not imitate in regard to ourselves? Are tobacco, rice, flour, provisions, and almost every thing we produce, to be enormously taxed by foreign governments, and all that we manufacture excluded from interference with those establishments, whilst we throw our ports open for the free admission of what they produce? Is the servile and pauper labor of foreign countries, and the aggrandizement of moneyed monopolies abroad, dearer to us than the protection of our own national independence and home industry? Every free American must revolt at such vassalage.

We define free trade then as it exists, to be no other than a commerce between nations, more or less protective, according to existing treaties, and that we therefore have an undoubted right to protect our own concerns without violating any of its principles; and it is equally our interest and *honor* so to protect them. The liberties now taken by England alone in undermining our commerce by her colonial policy, in contravening our agricultural, manufacturing, and financial prosperity, by prohibitory restrictions on our exports, and overwhelming this country with imports, poured upon us at any sacrifice, and without reckoning the cost of the ammunition, so long as it is effective, is as much a direct declaration of hostility, and as ruinous an attack on our independence, as the capturing our vessels, or the battering down of our cities. Tamely to submit to this, out of compliment to the infallible professors of free trade, is worse than re-

turning to provincial bondage. A fair free trade or none, is our motto; and if fair, we have proved that it cannot be opposed to the protection of our home interests. We do not say that if England or any other foreign governments should take off all the protective duties with which success has been secured to them, by which their establishments have been built up and their capital accumulated at the expense of reducing the wages of labor, that we should at once repeal all our duties for protection and revenue, and throw open our ports for the admission of all goods free. This we know would not be fair, nor any thing like a reciprocity of equivalents, and therefore could not be termed free trade. Give us the same advantages, and we need not fear competition with any nation. But not to be cajoled into any one-sided bargain by a trick of abstract diplomacy is one of the inherent rights of reciprocal commerce, and to this let us adhere in practice as well as in argument. One of the labors of Hercules consisted in strangling the snakes that infested his cradle, and it will be well for us to bear in mind, that if our young republic is to possess a giant's life, it must be sustained by gigantic efforts.

Having now, as we trust, proved satisfactorily that there is nothing incongruous in the union of a judicious protection to our home interests, and a fair free trade or reciprocal commerce with foreign countries, and that the former is absolutely essential to the preservation of the latter, we shall next endeavor to show conclusively the right and policy of countervailing duties, whenever any government violates the true principles on which free trade can alone be prosecuted. Self-defence, it will be admitted, is as much the right of nations as of individuals. Selfishness is the motive principle with all; and however Christian or laudable it may be to feed our enemies, and to do good to those who spitefully use us, we do not believe that the wise founder of our religion ever intended to sanction a perpetual invasion of our rights, or the abandonment of our essential privileges. What but the enjoyment of these inalienable attributes of sovereignty at first induced the glorious founders of our republic to sever the galling bonds of colonial vassalage, and afterward to unite in a confederacy, where free trade and a perfectly unobstructed intercourse were solemnly guarantied to all its members? No compact like this is, or *ever can be*, established with foreign states. We shall never know the value of our own favored country in this respect, until we assert and maintain its true dignity, and cherish our domestic advantages. Among ourselves commerce can, and ought to be, unshackled, and must necessarily be reciprocally beneficial. The good of the whole must conserve the good of every part, and it is idle for any section of the country to clamor for *free trade with all the world*, when its proffered blessings among ourselves are considered unworthy of encouragement.

But to recur to Mr. Raguet's essay: we there see it stated that "if ninety-nine out of a hundred nations adopt the restrictive system, it is the true policy of the remaining one to adhere to the principles of *free trade*." That is to say, the principles of *free trade* demand that we should export nothing, if other nations choose to restrict us, and import every thing they choose to send us, duty free. Are our farmers, planters, and manufacturers prepared to welcome such a free trade? Let us see how a theory, the correctness of which he is so confident of, that if he fails in proving it true, he offers to burn all the books on political economy, is attempted to be substantiated. He instances the trade existing between the United

States and Buenos Ayres. These countries, 7000 miles apart, and of course subject to a heavy expense in trafficking with each other, carry on a commerce in flour and hides, which each could produce, but find it advantageous to barter. Mr. Raguet may be mistaken in saying that cattle are *cultivated* in Buenos Ayres; we think they are caught wild for the sake of their hides, horns, &c. Labor, therefore, is not much concerned in the prosecution or loss of this trade, but this does not affect our argument much. We admit the case cited as a fair illustration of the usual intercourse between commercial nations, an exchange of equivalents, and we take Mr. Raguet's estimates and positions as correct: viz, 300,000 hides exchanged by Buenos Ayres for 100,000 barrels of American flour. The former we will value at \$2.00 cost, and \$1.00 profit of trade, freight, &c.; and the flour at \$6.00 per barrel, and \$3.00 do.—being 50 per cent on the cost at the place of export. We wish also to suppose each country to possess a moneyed capital of say a million of dollars each, to provide for any balance of trade.

Now to make out a clear case of free trade, or an exchange of equivalents, between these two countries, no notice should be taken of their intercourse or traffic with other countries. We wish them to represent the whole commerce of the world, and let us try fairly and considerately the bearings which the anti-protective, and the countervailing or true free trade policy will have, *in fact*, divested of any inferential or speculative *laws*, as they are designated in the theoretical political economy. We will try for once to make our learned friends of this school stand to their position, and not to fly off in a tangent through the vast regions of fancy, where it would be as hard to follow them as it would be one of Herschell's comets at the extremity of its aphelion.

Free trade then, between the flour-exporting United States and the hide-producing country of Buenos Ayres, is commenced without any duty on either side, and is assumed to be sufficiently beneficial to both nations, although each could produce the product of the other, to maintain a third interest, which we shall call *the carrying trade*, equally participated in by both.

The traffic between them consists in the exchange of—

100,000 barrels of flour from the United States,	
valued at \$6.00 per barrel	\$600,000
Expenses of freight, interest, insurance, and	
profits of trade	300,000
	<hr/>
	\$900,000
300,000 hides from Buenos Ayres, at \$2.00	\$600,000
Expenses, &c., as above	300,000
	<hr/>
	\$900,000

with a specie capital in each country to regulate any balance of trade equal to a million of dollars.

This we shall designate fair free trade, to which no one can object. Thus far we agree.

Our author next assumes that Buenos Ayres imposes a duty of 20 per cent on the American flour. Very well. This may be invidious, or a matter of necessity or internal policy. In either case it disturbs the equilibrium of reciprocity, and should be resisted. The United States levy a countervailing duty on the hides of an equal amount. Is the trade less free? Do the relative prices or equivalent returns vary in any respect? Is

either nation poorer or richer for the enhanced value of its imports? Each government collects a revenue, estimated at 20 per cent, which at the place of importation makes—

On the flour, worth before \$900,000

Say 180,000

———— equal to \$1,080,000

and on the hides, worth before \$900,000

Duty 20 per cent, 180,000

———— equal to \$1,080,000

The prices to the consumers, or exporters, are advanced accordingly, each faring alike. Is not this trade still free?

But high prices, says Mr. Raguet, reduce consumption and amount of imports, and consequently of exports. This depends on the manner the duties are disposed of, and other circumstances. If taxes had to be paid before by the consumers in specie, equal in amount to the 20 per cent now levied on the goods, and should they be taken off, and the expenses of the country be paid by this revenue, consumption would still go on without loss to the consumers or to the government.

Again: if the duty be levied and disbursed among the people for improvements by which they would be gainers in their trades or estates, such as railroads, canals, machinery, and other useful arts, the benefit of which would be equivalent to the 20 per cent advance on the articles consumed, would any loss ultimately accrue to either country? But on the contrary would there not be a permanent gain after the first cost was reimbursed? If cattle in Buenos Ayres could be caught and marketed cheaper by means of the outlay of \$180,000 duty, and flour could be ground and transported cheaper in the same proportion in the United States, would not prices ultimately fall, the quantity be largely increased by these new facilities, and trade be likely to be carried on, perhaps more extensively, and as free as before?

But if, on the contrary, the amount of the duty levied, in addition to former burdens, should be squandered in useless projects, lost in unprofitable wars, or thrown away in disgraceful tribute to foreign and rapacious rivals, then the suffering country would have to feel the new tax imposed; reduced consumption of imports, and consequent decreased exchange of exports, or a diminution of the profits of trade would have to follow. Should like circumstances, however, take place in both countries, the relative exchanges and traffic, though reduced, would be equal and free as between themselves, though in contrast with their former situation, or with other nations, they would each be relatively poorer. Every new levy of imposts thus wasted, would make them still poorer, until finally ruin or a revolution would ensue.

But should one country only be exposed to these wasteful exactions, and the other have its revenues judiciously appropriated, then a wide difference would soon be manifest in their relative condition. The provident would soon consume or abandon the improvident, after despoiling her of her money reserved for a balance of trade; and being able to produce what she had formerly imported, as well as exported, by a wise distribution and protection of labor, she would eventually become rich and independent. Her foreign carrying trade might be diminished, but her domestic exchanges and intercourse would increase. She would at least have some trade, which, if she imported every thing, say all the hides, reduced ultimately

to nothing by Mr. Raguet's supposed foolish imposts, and exported nothing for nothing, she would indeed be bankrupted in every thing.

But there is still another view of the case. It is admitted, by our opponent, that Buenos Ayres levies the first duty on our trade, an injury to us as well as to her, but he insists we should only make it greater by resenting it. How is this? Between individuals, is not any attempt at overreaching without an equivalent a fraud in law? And should we not consider it a contemptible policy in any nation tamely to submit to the first insult on her honor, whether by fraud or force. The champion of free trade, however, is for taking it philosophically, and turns both cheeks to be smitten under the plea of benefiting ourselves by the folly of our adversary. We doubt if such an abstraction is of American origin. It appeared not in our Declaration of Independence, and forms no part of our free Constitution.

If Buenos Ayres has the right of imposing a restriction, we have a like right; and honor as well as interest bids us retaliate. If she resolves to destroy her exporters of hides to raise a revenue, or to build up flour-mills, our farmers should be protected in the raising of cattle to supply the diminution of the flour business. It is idle to stand still and have duty after duty levied on our declining trade, and bounty after bounty bestowed by foreign governments, to supersede us in the production of our agricultural and manufacturing staples, as has been the case with indigo, and may soon be with cotton, and for us to still keep our ports open for the free admission of these articles out of courtesy to any country.

But there is still another fallacy in Mr. Raguet's argument, that we must now make appear. He asserts that duties imposed by us in retaliation, are a dead burden upon the people; whether 20, 40, or 100 per cent, only aggravates the evil inflicted on us by foreign imposts. Is this so? What becomes of the revenue, we would ask? Is it collected in specie only to be thrown away? Or is it used for the necessary support of government, the maintenance of a navy for the protection of commerce, and of our army to secure peace within our borders? Is not the expenditure for the public offices and post-roads, for the establishment of internal improvements, widening the sphere of support to our laborers and artisans, of some advantage to the nation—and are not these vast blessings paid for by the revenue? It is not true that nothing is to be gained by a countervailing policy but the "cutting off of our own fingers," as Mr. Raguet politely assumes. Nations are not all independent of the necessities and luxuries we have to part with, and people are not such idiots, as he supposes, to stand still and do without them, if we resist their anti-reciprocal encroachments. A tax on tea, indomitably resisted by a handful of freemen, convulsed the world in its consequences. It gave birth to the true principles of free trade; the only kind, indeed, that a free and honorable nation can encourage. The "let alone and take what we can get" policy, advocated by Mr. Raguet and his southern friends, is not American in any shape false philosophy may place it.

Protection to all the interests of the country includes free trade. They are, and of right ought to be, inseparable. We are not pledged to the manufacturers merely, nor can we tolerate any system that is not national and reciprocal. Our agriculturists, first and foremost, free as the soil they cultivate, must be protected. A foreign market, if possible, but at all events a home one, must be secured for them. Our planting producers must not be interfered with, we will not say *protected*, for that is not permitted by them as constitutional. But to our mechanics, laborers, artists,

and manufacturers, no doubtful or temporary protection must be given. Let them thrive, and then commerce, cherished daughter of all other pursuits, will thrive with them.

What then shall prevent the union and advancement of all these co-relative interests? Happy are we if we would only know and preserve our own privileges! But we are too free and too visionary to act in harmony, and have been lamentably unfortunate of late years in putting our faith in princes of high pretensions and broken fortunes, who have all but ruined our self-respect. Let our working, thinking men, rouse then to the rescue.

The world is getting skeptical concerning the efficacy of governments of any sort in bringing about human perfectability. Our own "last found and ever new delight" already exhibits symptoms of fallibility, and people begin to find out that they may depend too much on being governed by fixed laws in perpetually changing circumstances. Legislation, and too much of it, plods on behind the age, whilst speculation hurries us away ahead of it. Implicit faith, therefore, can neither be placed in constituted forms nor in fallible theories, constantly demanding "a change of times and states." Much depends upon coincidences that no human sagacity can predict or avert. There is scarcely a nation to which wealth, power, and glory have not occasionally been given, or the same taken away, unexpectedly. Whether in monarchies the most absolute, or republics where scarcely a phantom of law exists to guide them, the mass of the people have appeared to be the playthings of chance, rather than the architects of their own fortunes. Still, how many there are among us who profess to understand exactly how to set every thing at rights, and to govern the world precisely as it ought to be governed!

Among these, political economists take the lead. One gives us, "The Wealth of Nations;" another, "A Sound Currency;" a third, "Free Trade with all the world;" a fourth, "The impolicy of countervailing duties;"—and such wise conceits have been so often put forth to gratify a heated fancy, and gather homage from the ignorant, that the due respect which is usually granted to wisdom, learning, and virtue, among men, is now no longer cheerfully accorded to philosophy, found fallible. Success obtains the crown of merit, and time and chance happen to all. But it is time for us Americans to learn, that even success is not always to be obtained by the aid of princes or philosophers—nor by the people who worship them, or are worshipped by them. Humbler pretensions on all sides, with a steady aim at human improvement, should be inculcated. The world will go on probably as of yore, and we shall find that there will ever be a mixture of good and evil in all things; that the selfish principle in man is not yet matured; that the millennium will not dawn until all the Jews are called home; nor until these things are accomplished can a universal free trade be established, nor the hopes of Christians and philosophers be consummated. Under these conditions, therefore, the governing principle best adapted to our nature, and likely to be most successful with that nation that follows it, is a prudent confidence, under Providence, in our own moral exertions, steady industry and economy, increasing knowledge and virtue, and respect for such laws and rulers as will faithfully protect those who yield obedience to, in order to be protected by, them.

Those who contend against this order of things in our country, are probably not aware of the mischiefs they produce among us. Their imprac-

ticable theories have already led us into a thousand foolish experiments, and almost to a dissolution of the Union. Under the plea that trade governs the world, they are perpetually seeking to array one section of the country against another; the merchant against the manufacturer, and the producers against the consumers, as if we were not naturally bound together in one common interest. They do not, or pretend not, to see that the laws of trade are fluctuating and conventional, and subject to the control of wise legislation or arbitrary despotism. To submit to them, therefore, *in all cases*, may neither be wise nor politic. Who is there that will now contend that the *slave trade* was ever just, or that the British orders in council, and the French decrees, which excluded our commerce with every port from Bayonne to Libau, ought ever to have been tolerated? Who is there that now sees any advantage in impoverishing and demoralizing our country with a flood of champagne, or the costly silks and gewgaws of France; or the excessive imports of articles which we can make ourselves, from England, merely to encourage commerce, or benefit an unreciprocated trade, falsely called free? Or who is there, except Mr. Raguét and his infatuated adherents, who will say it is for the advantage of two countries like Buenos Ayres and the United States, both capable of producing wheat and hides for their own use, to exchange these articles with each other, merely to maintain a carrying trade of seven thousand miles, when the whole expense of freight and charges could be saved by supplying their wants at home? What prudent father would beggar his son by preventing his learning every useful trade necessary for his support, or desert him when just entering into business, a victim to an overreaching, jealous rival? Or what paternal government will refuse to patronise the useful arts, and to foster the manufacturing establishments necessary to its security and independence? And yet there are those who constantly decry such a policy to be absurd, because "trade governs the world." Why! Is not England, our greatest rival, doing precisely as we should do, now? Has not this always been her policy? Let those who think otherwise study the following account of her meditated overthrow of our cotton trade. Not merely the south, but our whole country is interested in its consequences. There are those among us who are jealous of the forced industry of our cheap state-prison convicts, as an interference with the labor of honest American mechanics. Will they be content to foster the cheaper labor of their Bombay rivals?

THE EAST INDIA COTTON TRADE.

The New Orleans Advertiser, of recent date, contains extracts from a letter written from Bombay, to a gentleman in New Orleans. The writer had resided in Hindoostan for fifteen years. He gives it as his opinion, that in less than five years the India product will supplant American cotton in the English markets.

Nothing but the unsettled state of many districts, the high rates of transportation, the rude mode of culture and of separating the seed from the wool, and the rapacity and extortion of the East India Company, have prevented a competition long since. But now, it is added, the absolute submission of the hostile and rebellious rajahs, the decline of the opium trade, the war with China, and the introduction of the saw-gin, have brought about a new state of things, and every district in the country is now engaged in the culture of cotton.

The shipments of cotton from India to England for the current year, are estimated at 450,000 bales: it is believed that during the next season at least 600,000 bales will be shipped.

To these facts, the writer adds other items which are worthy of notice:

"The government at home has left no stone unturned to free Great Britain from dependence on you for the raw material. The use of the saw-gin in two years time will be universal. Orders have been sent to the United States for a supply of the best Mississippi. Labor is low—from three to six cents a day. The average product per acre is 200 pounds of clean cotton. Our cane-brakes and low lands, as with you, yield immensely, while the hilly districts do quite as well as those in Mississippi. Even now, where the saw-gin is used, cotton is delivered in this city (Bombay) at two cents a pound.

"The substratum of our soil varies. It is either granite or volcanic, according to the position, and though we may not be able to produce as good a staple as you can, yet I am sure we shall soon be able to drive out of the English market all your low priced cottons.

"Even in Sea Island cottons we are making headway. They are indigenous to Ceylon and the Coromandel coast.

"Your planters must look to the cultivation of the better qualities, if they would keep the East India cottons out of the European markets. As to the English markets, they will not have them long, for the home government has it in contemplation to *lay a heavy duty on American cottons.*"

To this statement the Baltimore American adds:

"The advocates of free importations at the south will, in all probability, have an opportunity very speedily of enjoying the blessings of that sort of 'free trade' which the other portions of the Union have been made to experience. The price of cotton is already affected by the introduction of the India article into the British market. When the Government of Great Britain shall '*lay a heavy duty on American cotton,*' will it be unconstitutional then to insist upon reciprocity of trade? Will countervailing duties be impolitic, or a tariff oppressive?"

"We alluded some days ago to the history of the *Indigo* culture in Hindoostan. The results of that undertaking speak in a language too plain for misconception. If it is proper for this government to take any steps in view of the present designs of Great Britain in India, the time has surely arrived for doing something. It is, however, for the South to judge, in so far as their staple constitutes the basis of our national interest. The middle, western, and eastern States, whose interests have been already affected by the restrictive policy of England and other European nations, are preparing to move. It would be better for all if a harmonious and concerted system of action could be agreed upon, which, while it embraced every interest, should bear oppressively upon none."

In addition to the above, we quote the following extract from a recent report to the British parliament, showing the intended appropriation of British capital, and a system of bounties in order to encourage the culture of cotton in India, and secure a supply of that necessary staple for their domestic use, without being dependent on foreign nations for it,—a hint to our growers of the article to encourage manufacturers at home to use up what the planting interest cannot export when superseded by their India competitors. A home demand from numerous customers is more secure than any foreign one from a large monopolizing rival, whose custom depends upon caprice, or an uncertain continuation of peace.

[From the Boston Atlas.]

EVIDENCE RESPECTING THE EAST INDIA COTTON TRADE.

"The minutes made by Lord Auckland, the Governor General, on this subject, contains the plans which he wishes to have adopted, and the information which gave rise to them.

"1st. That there be an alteration in the rate and mode of taxing cotton lands: the rate being erroneously supposed to be a maximum one, and the amount often taken in kind, thereby inducing the grower to produce quantity or weight, without regard to quality or cleanliness.

"2d. That encouragement, or reasonable inducement, be afforded to the influx of capital,—and to its application to this particular cultivation. A special mode of encouragement is indicated in the offer of a fitting bounty, either by reducing the assessment on the lands on which foreign cotton seed is grown, or by stimulating industry by large grants or prizes.

"3d. That experimental farms be instituted, and rewards given, for improved produce, or for improved machines for cleaning cotton—this last being the great desideratum, especially as regards the cotton of Bombay. Seeds to also be procured of the best foreign cottons, and distributed.

"4th. That the transport of produce be facilitated by the formation of roads, and its preservation and shipment by the erection of warehouses at the ports of shipment."

We will give one further illustration of the value of foreign friendly feeling towards American interests. Governor Cass, our envoy in France, in a late report to the government, states, "that two thirds of all the importations into the United States from France were duty free. *Not one* article imported into France from the United States is exempt from duty. Cotton pays a duty there of between *four and five per cent on its value more than Egyptian*, thus far operating as a bounty in favor of the latter."

Do our cotton growers see no mischief in this preference for the foreign cultivators of their staple, or must a narrow jealousy of their brethren at home, who are their natural customers, forever blind them against perceiving the invidious policy of others?

We will suppose now that in five years, England not only supplies herself with cotton, but our other customers for the article are supplied by her, or from some other cheap-labor countries. Will the south then subscribe to the "impolicy of protective duties," or consent to be the one Nation, shut out by the restrictive policy of the ninety-nine? Or will she then consent to see her best interests preserved by encouraging domestic consumption? Will she not then discover that there is no natural hostility, but a reciprocal amity between the interests of the northern manufacturers and the southern producers; that they are all, in short, producers, capitalists, traders, and fellow-laborers? Will she not then admit the unity of one consecutive and conservative operation between the laborers in every department of the product raised—First, the *sower of the seed* and *planter* with his hoe; next, the *mechanic* who gins the cotton from the pod; then the *trader* who buys and transports it to the market where it is manufactured, and from the *manufacturer* back again to the *producer*, or to other consumers who furnish in return the articles of luxury or necessity which he wants? Is not all this a confederate and desirable union of interests, worthy of liberal protection? Will commerce be the sufferer? We have the experience of the past to assure us that if the home market for manufactures is secure from foreign interference and domestic monop-

oly, competition will cheapen prices low enough for export. We well remember the cry of oppression raised by the Salem merchants, in 1816, that if the tariff was then increased ruin would seize their India trade. Then northern merchants, now many of them manufacturers, were the opponents of protection, and the southern planters, alas! still planters, its advocates! What has been the result so far as commerce has been concerned? Then what was the cost of *one* cargo of cotton cloth *from* India, would now produce *four* of better quality sent *to* India! *Four freights* for *one* is the balance in favor of our commerce, and the fabric produced at home is had at one fourth of the cost to the exporter and consumer! And this is not all. Specie was required to fit out every Indiaman enough to build one cotton-mill then, and four cotton-mills, of the same size, now! We are stating facts that we know, and defy a denial of them. But to make them more apparent, we repeat, that such has been the wonderful skill and enterprise of our machinists, iron founders, and handicraftsmen, that the machinery for a cotton factory, complete, which in 1820 cost over forty-eight dollars per spindle, now costs less than twelve dollars! Is it wonderful that we should be the exporters of the article, or that Russia, Germany, and even England should send to us orders for steam frigates and engines? Is it wonderful that our countrymen should prefer to be machinists and manufacturers under a government that knows how to prize them, rather than to turn all farmers and carriers, the hewers of wood and drawers of water, for other nations? Do our citizens generally know the fact that the relative ratio of agricultural and artisan labor in all countries is as 12a36, showing an advantage in favor of the latter of 200 per cent? No wonder that Great Britain was able to cope with all the world, and is able to arm and govern so great a part of it with the small army of machinists she possesses. It is not *her cheap labor at home* the world has to fear, but her vast overgrown capital and skill, which may set in motion *her cheaper vassal labor abroad*, and which, if permitted, will crush the rising enterprise of other countries. Of this, and not any superiority in her enterprise or skill, have we Americans much now to be afraid. But if a steady judicious tariff, of a wisely discriminating and strictly protective character be adopted, on the true principles of encouraging a fair reciprocal trade with all the world, and of securing a salutary protection to our home industry and skill, so that American labor shall not be interfered with in our home markets, by the monopolizing and jealous capitalists of Europe, nor be depressed by labor of a pauper or servile character, then our country need not fear but her high destiny will be accomplished.

But it is time now to bring this article to a close, even without some statistical references which we had intended to offer. They may appear in a future number. We have only a few words to say in parting to our esteemed friends, whom Mr. Raguét says, are "reviled individuals, whose views are thought to have no practical bearing, and whose opinions belong to the closet, and not to the counting-house or workshop." We shall not apologize for our presumption in differing with them. Whether from obtuse vision in ourselves or an excess of light in them, we take a widely different view of things. We think and feel that we are right; they are as sure that we are not. Let our readers decide. We shall not insist on Mr. Raguét's burning all his books, if he is convinced of his error, as he offered to do, but we can heartily join him in wishing to propagate truth, without boasting or reproach. Theory without practice, or practice with-

out theory, have no right to be intolerant. He has the advantage of a distinguished name. We rely solely on the merit of our cause; but confess ourselves deeply interested in the success of the Home League, with which we have been associated from its commencement, and which we have the pleasure to see is now widely extending itself throughout the country, particularly at the south and west. With political economy in the abstract, we do not boast of much acquaintance, and have but little time or inclination to put forth in writing our opinions, although we have had some practical experience in its results. We have designed, however, in this essay, to express fully our real sentiments, without fear or reward, and to contend for principles which we believe salutary *for the country*—THE WHOLE COUNTRY. Let others, if they please, favor foreign dogmas, foreign philosophy, or foreign fabrics. We deplore the fashionable tendency to lean towards every thing cis-Atlantic, particularly if it be extravagant. A *false free trade* is one of these costly notions; but our citizens begin to suspect they have had enough of it. They will soon perceive there is no use in pulling each other to pieces for the sake of building up our foreign rivals; but abandoning this heathenish propensity of running after strange gods, they will unite in promoting a *true constitutional free trade among themselves*. Then the south, no longer jealous of the north, shall see her own interest best advanced by encouraging the productions of American skill and industry, and will actually find them cheaper by all the saving of freight, than they could now be imported, duty free, from abroad; and the north and the east, uniting cordially in sustaining the south and the west in all their constitutional privileges, will be blended together with them in a genuine love of our common country; when all will unite in maintaining our glorious banner, undisturbed by "base revolting stars" consenting to our self-destruction; and we shall all understand that our true prosperity consists in a fraternal and patriotic interest, "UNUM ET COMMUNE PERICULUM, UNA SALUS OMNIBUS."

ART. IV.—MERCHANTS AND MERCANTILE LAW.

It was related of the late Chief Justice Parsons of Massachusetts, that while he was at the bar and engaged in very extensive and lucrative practice, an eminent merchant invited him to dine with him under circumstances a little unexpected. At the dinner-table the merchant took some pains to draw the conversation out upon some legal questions, and having a case of great importance and delicacy of his own, concerning which he was anxious to get the opinion of Mr. Parsons, (without paying him the customary fee,) he supposed a case precisely parallel to his own—stating all the particulars with minuteness; and to close with, said to his guest, Now what course would it be prudent for a person to adopt under such circumstances? "Consult a lawyer by all means," answered Mr. Parsons.

Who shall say this was not a very just and valuable answer? In all legal points arising in business of serious importance and difficulty, it is certainly judicious to consult our legal adviser, and to do it before a fatal step is taken, or liabilities are ignorantly incurred.

But there is a large amount of legal knowledge daily required in the

transactions of the merchant, and which should make a part of his business information and education. This consists in understanding the great leading principles which govern sales, agency, negotiable paper, suretyship, and the like. The mere man of business need not be learned in all the minute distinctions and doubtful points: these belong to the learning of the legal profession, who can and will give the time and research necessary to a proper understanding of them. The amount of legal knowledge necessary to be understood as a part of business education, embraces, generally speaking, the leading, well-settled and well-defined principles of every-day application. Hitherto no suitable manuals of familiarly written, yet authoritatively correct mercantile law, have been prepared for the merchant. Hence he has been under a sort of necessity of having his legal adviser to apply to for every point however easily understood, but about which, from the importance of results, he is unwilling to act under a shadow of doubt.

The advantages connected with a merchant's position and information, for understanding legal principles and applying them correctly to mercantile questions, is not often duly appreciated by themselves.

In order to understand a principle of law and its application to the business affairs of men, it is not enough that we have read the legal treatises and decisions on the subject. An acquaintance with business transactions, arising from observation and experience, are also necessary. And this observation and experience the merchant possesses in relation to his own line of trade, far better than the legal profession generally. Not intending to disparage the intelligence of the legal profession, yet it is certainly too much to expect of those who have the largest share of general business information, that they can be as well informed as merchants about the commodities they respectively deal in, or the usages of trade applicable to them. Hence, when a merchant consults his legal adviser, he often has to commence by instructing him largely about his business before his counsel can turn about and inform him in relation to the legal principles applicable to his case. Hence too, and for this reason among others, merchants select their lawyer, and repose confidence in him and give him instructions about their business; and when he gets so as to understand it, they are loth to part with him. They rely on him to do up their legal thinking. He is to them like the old family physician, who from having long attended in the family, understands their constitutions and all their chronic diseases and idiosyncrasies.

But, after all, would it not be better for merchants to give the subject of mercantile law, at an early period of life, that degree of *serious* attention which they are taught to bestow on the practical part of their profession? It would, as a mental discipline, tend much to induce to accurate habits of thinking, and open up to mercantile pursuits a new and rich field of mental occupation. While the details of business give scope to the faculties of observation, the legal principles would give exercise to deep reflection and comprehensiveness of thought.

We hardly need say that by these remarks we do not recommend that every man should become his own lawyer. More, far more, is embraced in *that* expression than people unacquainted with legal jurisprudence in its voluminous details are aware of. But we *would* be understood as recommending that every one, who seeks to be regarded as a well-informed and intelligent citizen and merchant, should have so much acquaintance with law as, all must concede, belongs to a general and a business education.

From the success which has attended this journal, and the prevailing eagerness of merchants to read on subjects connected with their profession, we mistake much if these views will not meet a cordial response from those whom we address. They are no hasty opinions taken up by ourselves recently, and for the purpose of shaping an article. But we began some eight or nine years since to prepare a work, which should do something to supply the want. Circumstances, and not inclination, have delayed its completion until the present time.* And having treated somewhat at large of contracts generally, and sales in particular, as also negotiable paper, we have, at the request of the editor of this Magazine, prepared the remarks which follow on sales. They may tend to illustrate the views put forth in this introduction.

LAW OF SALES.

The contract of sale is one of immense interest to the whole community. In a moral point of view it involves many nice questions which have often been discussed by writers on ethics. But when we reflect that buying and selling is one of the three great interests of all civilized countries—that the business of the other two interests is managed extensively through its instrumentality, and that all classes are largely buyers for their daily necessities, comforts, and luxuries, the subject rises to its just dimensions. It is indeed, as we have elsewhere said, by trade that the life-blood of a business community circulates, and its great emporium is the heart of the system. Its importance has greatly increased within the last fifty years, and its progress is co-extensive with the spread of civilization, the improvements in mechanical skill, the extension of the facilities of intercourse, division of labor, and the general advancement of the race in knowledge, taste, morals, and religion.

The contract of *sale* is based upon the existence of a common measure of value or circulating medium. Hence when a sale is effected it is for a *price* agreed in money. Though less primitive than a direct exchange of one commodity for another, it is as ancient as the invention of money. One of the earliest sales we read of is recorded in Genesis, in the case of the transfer of the field of Machpelah, for the price of four hundred shekels of silver, "*current money with the merchant.*"—Gen. chap. 23. The difference in amount and importance of sales is such that we might as well compare the structure of a polypus to that of a man, as the purchase of the whistle by young Franklin to that of Louisiana by Mr. Jefferson. In generalizing our remarks, we obviously neither intend those of the one extreme or the other; but those multiplied and daily business transactions which are the result of the wants of the whole community.

Trade being the direct occupation of one large class of the community, it is carried forward for gain. Yet good faith is essential to a transaction requiring mutual engagements and reciprocal acts. And often something better than simply cold calculating gain by driving a hard bargain, takes place between buyer and seller. There often grows out of a course of trade a high and honorable confidence between a trader and his customers. And it is this which lends the brightest coloring to the mercantile pro-

* More than four years of this time were exclusively devoted to a field of labor in this city, connected with one of its public institutions dear to the affections of us all.—Ed.

fession. It is this which at once morally elevates the merchant above the trickish, petty chapman, and imparts to him the dignity which belongs to those professions where the confidence of the community necessarily so largely reposes. There is something higher than mere considerations of gain in the daily operations of the merchant of thirty or forty years' standing, still at stated periods supplying more or less of the customers whose acquaintance he formed in his youth.

The law of sales has grown most rapidly within a few years past, and the modern decisions merely digested, would make a volume of no small size. The elementary treatises compiled for the profession are numerous. Among the best of these we may mention Long on Sales, (Rand's edition;) Pothier, elegantly translated by the learned and accomplished editor of the Jurist; Ross on Purchasers and Venders; Brown on Sales, and Hiliard on Sales. In the 2d volume of Kent's Com. on American Law, there is a very long title in which the various learning on the subject is elaborately collected. Among all these there are none prepared for the practical business man. We shall in this article allude to two leading considerations only, as indicating to the business man the method in which the subject may be presented.

Perhaps there is no principle of law applicable to the contract of sales of more importance to be rightly understood than that which is indicated by the familiar Latin cautionary phrase, *caveat emptor*—Take care, purchaser.

The principle when fully expressed, with all its limitations and qualifications, is as follows:

"If there be no warranty, and the goods be present to the parties, and no fraudulent representations be made by the vender, the purchaser will have no remedy after executing the contract, if the goods turn out to be of a bad quality, unsound, or of a different kind and denomination from what they were thought to be by the parties." This is the common law rule, and differs from the rule of the civil law. At times the courts in this country and in England have been induced, from the special circumstances of some particular cases, to relax the rule. But the recent decisions have fully restored the old doctrine. And they have done so mainly from the extreme difficulty of framing any other that can be applied successfully to practice. This rule is calculated to insure caution, vigilance, and deliberation on the part of purchasers, and it avoids the temptation to subsequent litigation, when circumstances and feelings have changed, and the purchase is less advantageous than was anticipated—an occurrence which not unfrequently happens. The doctrine above stated was laid down in the celebrated case of *Seixas vs. Wood*, 2 Cains, 48, and it has never been questioned, though the soundness of its application to that case has often been canvassed.

Let us examine the limitations to the rule.

1. There must be no warranty.
2. The goods must be present to be inspected by the purchaser, and if connected with other goods, they must be designated or laid out.
3. There must be no fraudulent representations made by the vender.
4. The contract must be executed.

In the first place, if the purchaser have any doubt of his own judgment, if he cannot spend time to make full inspection, if the nature of the article be such that there is intrinsic difficulty in determining as to its quality or

kind—in any of these cases it is very easy to insist upon a warranty. A warranty is a contract, the nature of which is to guard the purchaser and protect him from possible mistake or misapprehension, and to quiet his fears.

2. If the goods be where there is no moral possibility of examining them, as when they have not arrived at the wharf, or are in hold, or at some distant place, in these cases the vender must represent the kind, quality, and soundness of the goods truly, or else he will be responsible. The purchaser reposes confidence from necessity, and if upon actual subsequent inspection they do not answer the description, they may be rejected, or taken at a fair deduction of price. If the purchaser go into the store of the seller, and order goods without laying them out, in this case there is a confidence placed, and the seller must furnish merchantable goods of the kind ordered.

3. If the seller in his representations states what he knows to be false, and uses any fraudulent practices to check inspection, this will vacate the contract. The law abhors fraud, and whatever it enters into will be vitiated by it.

4. Again: the rule applies only to executed contracts; that is, to contracts of sale where the title has passed and possession has changed, so that the goods may not be returned.

The case of *Seixas vs. Wood*, decided in 1804, in New York, was certainly a hard one. The sale was of valuable wood called *Brazilletto*, and the article delivered was *peachum* wood, of little value. It had been advertised as *Brazilletto*. The invoice shown to the plaintiff called it so; and it was called so in the bill of parcels. Yet there being neither express warranty nor fraud, the sale was held to be good. The plaintiff's agent who examined it did not discover that it was not *Brazilletto*, nor did the defendant know it was not the article described, until he had occasion to use it. The only ground on which this decision has been complained of, was, that the article being described as *Brazilletto* in the bill of parcels, it ought to be regarded as an implied warranty that it was that kind of article. The article was different in kind. But in fact the article which the purchaser received was the same that was inspected at the sale; and the great point is, that when the purchaser makes inspection of the thing, he is bound by the result. There was no deceit, for the seller was under the same mistake. And where there is inspection, and no deceit or warranty, and the transaction is completed, the purchaser must pocket his loss, and look out better next time.

In a recent case of *Hart vs. Wright*, 17 Wendell, Judge Cowan very ably reviews all the cases, and among others recognises the case of *Seixas vs. Wood*, and says he thinks of no exception except that in case of the sale of food for mankind. In that case there is a warranty that the article is fit to be eaten. Therefore, if a man should, without warranty, sell tainted meat, measled pork, or poisoned cheese, though he did not know in either case it was so, and though the purchaser should examine it, and not discover it was so, he would be liable. This rests upon principles distinct from those which govern ordinary sales—viz, those of public policy.

Another case founded also on principles of public policy may be mentioned. It is where the parties stand in a *peculiar and confidential relation to each other*: as for instance, the relation of client and attorney, physician

and patient, principal and agent, principal and surety, guardian and ward, trustee and *cestui que trust*, partners and part owners. In any of the above cases, if there be any misapprehension of any material or essential facts, or any just suspicion of artifice or undue influence, it will be fatal to the validity of the transaction. The policy of law on this point is but the echo of enlightened moral sentiment. And when in times like these, scarcely a week passes but some glaring case of breach of confidence of some kind occurs, it is time for courts and moralists to speak out. The rule in this case is not confined to the seller, but applies equally to the buyer. And, "wherever there is the relation of employer and agent existing in situations in which of necessity much confidence must be placed by the employer in the agent, then the case arises for watchfulness on the part of the court, that confidence shall not be abused." *Dent vs. Bennett*, 7 Simons.

We have as much as said already, that where there was a mere contract to sell, or a sale of an indeterminate thing, the rule *caveat emptor* did not apply.

The cases embraced under this head, are—

1. Where goods of a certain description are ordered, and not laid out and selected by the purchaser.
2. Where a thing is contracted for and is not manufactured, but is engaged to be manufactured.
3. Where articles are ordered for a particular purpose—as where a man orders a garment for himself.
4. So if one send his child or servant with an order for goods.

In each of these cases there is confidence reposed in the seller, and no examination of the article by the purchaser. In all these cases there is a chance to reject the article as soon as it comes to hand and is inspected; and the vender is bound to furnish a merchantable article—and in the case of its being ordered for a particular purpose, it may be rejected if it do not answer. The rule of the civil law *caveat venditor* applies. The seller must look out to supply an article which will answer. Thus if a purchaser apply personally for an article for any particular use, the vender is bound either to supply one fitted to the purpose, or to decline the application. If one apply for a carriage horse, or one fit to carry a lady or a timid and feeble rider, the seller who knows the quality of his horses, is bound to select one suitable for these purposes. And if he recommend one as suitable, he is bound by his recommendation. See Long on Sales. But in regard to horses, it is now the universal practice to require a warranty, either general or qualified.

But there is another branch of the rule *caveat venditor* well understood by the trading community, which we may be excused in alluding to, mainly upon moral considerations. It applies to cases where the purchaser has important knowledge affecting the price or value of the commodity, and of which he knows the seller to be ignorant. In the case of *Fox vs. Mackrith*, Lord Thurlow stated the opinion, that "in negotiating for an estate, the purchaser would not be bound to disclose to the seller his knowledge of the existence of a mine on the land, of which he knew the seller was ignorant. If the estate was purchased for a price of which the mine formed no ingredient, he held that a court of equity could not set aside the sale, because there was no fraud in the case; and the rule of nice honor must not be drawn so strictly as to affect the general transac-

tions of mankind." Upon this the learned commentator upon American law remarks, that the laws are not so perfect as the dictates of conscience; and the sphere of morality is more enlarged than the limits of civil jurisdiction.

If, however, a word be dropped during the negotiation calculated to mislead the vender, it will make a case of artifice and fraud, against which the courts will relieve. This was the view taken by the court in *Turner vs. Harvy*. Pothier remarks, in conformity with the general doctrine, that though misrepresentation or fraud will invalidate the contract of sale, the mere concealment of material knowledge, which the one party has touching the things sold, and which the other does not possess, may affect the conscience, but will not destroy the contract, for that would unduly restrict the freedom of commerce; and parties must at their own risk inform themselves of the value of the commodity they deal in. The language used here would apply to the seller as well as the buyer. But in the this must, as it regards him, be taken with limitation. For it was decided sale of a ship which had a latent defect, known to the seller, and which the buyer could not, by any attention, possibly discover, the seller was held to be bound to disclose it, and the concealment was justly considered to be a breach of honesty and good faith. So in another case it was stated that if a man sells wine, knowing it to be corrupt, an action of deceit lies against him, though there be no warranty.

In both the above cases the defects were not open to inspection. Had they been, the law would not require the vender to aid and assist the observation of the vendee. Buyers must not go to sellers to take lessons in the science of observation. They will prove too dear teachers.

But a case occurred soon after the late war, in New Orleans, which illustrates how far a man may, in purchasing, avail himself of the earlier and superior information he may possess. It was the case of *Laidlaw vs. Organ*, eventually decided in the Supreme Court of the United States, in February, 1817; and is notorious from its having given rise to a treatise on the doctrine of contracts, by Gulian C. Verplanck. The facts as they appear on the record transmitted from the district court of Louisiana district to the supreme court, were as follows: In the night of the 18th of February, 1815, three persons brought to New Orleans, from the British fleet, the news of the signing of the treaty of peace at Ghent. Mr. White, one of these persons, published this news in a handbill on the next morning, being Sunday; and it was made public by 8 o'clock on the morning of that day. This news was communicated on Sunday morning, by one of the three gentlemen who brought it, to Mr. Organ, the plaintiff in the suit below, and purchaser of the tobacco in question. Mr. Organ called on Francis Gerault, a partner in the firm of Laidlaw & Co., soon after sunrise on Sunday morning, before F. G. had heard the news. F. G. asked him if there was any news which was calculated to enhance the price or value of the article about to be purchased? The buyer was silent. The purchase was made—the bill of parcels delivered between 8 and 9 o'clock—and the article immediately rose from thirty to fifty per cent. The next day Francis Gerault was applied to for an invoice of the tobacco, when he made no objection to the sale, but promised to deliver the invoice in the course of the day. It also appeared that the parties had been bargaining for this tobacco the preceding evening.

Now, bating the fact that this took place on Sunday morning, a thing of which the seller had no reason to complain, for he was equally a Sabbath-breaker; I say, bating this fact, I think the feeling of every intelligent merchant would be, that Mr. Organ was justified in closing the bargain as he did. And after all, he ran some risk, for the news might have turned out to be a *hoax*. It seems that the defendant's own moral sense did not, when called on to complete the transaction, suggest to him that he had been wronged; he thought it an ordinary chance of trade which had turned against him. So thought the court. Hear what the court saith:

"The question in this case is, whether the intelligence of extrinsic circumstances which might influence the price of the commodity, and which was exclusively in the knowledge of the vendee, ought to have been communicated by him to the vendor? The court is of opinion that he was not bound to communicate it. It would be difficult to circumscribe the contrary doctrine within proper limits, where the means of intelligence are accessible to both parties. *But at the same time each party must take care not to say or do any thing tending to impose upon the other.*"

ART. V.—TOBACCO TRADE OF THE UNITED STATES.

THE tobacco plant, which is a native of our country, and early consumed by the Indians, was, it is generally known, first carried to England in 1584, by Sir Walter Raleigh. As it soon came to be an important commercial staple, it was made the subject not only of royal proclamation, but repeated acts of parliament. In 1622, the annual import of tobacco into England from the United States, for the ten previous years, was 142,085 pounds. In 1624 it became a royal monopoly, and for the purpose of encouraging its growth in our American colonies, its cultivation was prohibited in England. As early as 1615,* the fields, gardens, streets, and public squares of Jamestown, in Virginia,† were planted with tobacco; which was used as a currency in that as well as many other of the southern states, and during our colonial dependence it formed a prominent staple of export to the parent country; the yearly exports of tobacco from America for the ten years preceding 1709, averaging about 28,858,666 pounds, of which 11,260,659 pounds were annually consumed in Great Britain, and 17,598,007 pounds in the countries of Europe. In 1747, and the ten previous years, there were annually exported to England from the American colonies 40,000,000 pounds of tobacco, 7,000,000 of which was consumed in England. The annual revenue was about 4,500,000. In 1775 the annual export of tobacco from the United States

* In 1620, ninety young women were sent over from England to America, and sold to the planters for tobacco, at one hundred and twenty pounds each. The price at first was one hundred pounds, which gradually increased to one hundred and fifty pounds.

† In 1669 the crimes of adultery and fornication were punished in Virginia by a fine of from 500 to 1,000 pounds of tobacco.

for the four preceding years was 1,000,000 pounds; for the thirty preceding it averaged 40,000,000, of which 7,000,000 were consumed in great Britain, and 33,000,000 in the European nations. In 1782, the annual export of tobacco during the seven preceding years of our revolutionary war had been 12,378,504 pounds. Of the total seven years' exportation, 33,974,949 pounds were captured by the British. In 1789, the quantity exported from the United States, together with the two previous years, averaged about 90,000,000 pounds.

In 1834, the value of tobacco used in the United States was estimated at \$16,000,000, of which \$9,000,000 were supposed to have been for smoking Spanish cigars; \$6,500,000 for smoking American tobacco and chewing; and \$500,000 for snuff; in 1838 the consumption of tobacco had increased to 1,000,000 pounds, valued at \$20,000,000 cost to the consumers, being seven pounds to each individual of the whole population.

An error extensively prevails that the climate of the southern states alone is favorable to the cultivation of the tobacco plant. This mistake is apparent in the fact that it is not only produced in the south, but is cultivated with success in most of the more northern states, either at the east or west. For the purpose of exhibiting the extent of the production of tobacco in the several states and territories, we subjoin a statistical account of the production of tobacco in the various parts of the country, derived from the last census, taken by the authority of the federal government.

POUNDS OF TOBACCO GATHERED IN EACH STATE AND TERRITORY IN 1839.

	<i>Pounds.</i>		<i>Pounds.</i>
Maine	30	Mississippi	83,471
New Hampshire	115	Louisiana	119,824
Massachusetts	64,955	Tennessee	29,550,432
Rhode Island	347	Kentucky	53,436,909
Connecticut	471,655	Ohio	8,942,275
Vermont	585	Indiana	1,820,306
New York	744	Illinois	564,326
New Jersey	1,922	Missouri	9,067,913
Pennsylvania	325,008	Arkansas	148,439
Delaware	272	Michigan	1,602
Maryland	24,816,012	Florida	75,274
Virginia	75,347,106	Wisconsin	115
North Carolina	16,772,359	Iowa	8,075
South Carolina	51,519	District of Columbia	55,550
Georgia	162,894		
Alabama	273,302	Total in the U. States, 219,163,319	

Tobacco constituting one of the principal agricultural staples that is exported, we exhibit the following tables of the tobacco trade, showing the amount of exports from the United States annually, from 1821 to 1840 inclusive, as well as the principal ports to which it is shipped, for which we are indebted to Hazard's Register:

Statement of the Tobacco, Snuff, and Manufactured Tobacco, exported from the United States, annually, from 1821 to 1840, inclusive.

<i>Years.</i>	<i>Hogs-heads.</i>	<i>Value.</i>	<i>Average Value per Hhd.</i>	<i>Pounds of Snuff.</i>	<i>Pounds of Manufactured Tobacco.</i>	<i>Value of Snuff and Manufact'd Tobacco.</i>	<i>Total Value of Tobacco Trade.</i>
1821	66,858	\$5,648,962	\$84.49	44,552	1,332,949	\$149,083	\$5,798,045
1822	83,169	6,222,838	74.82	44,602	1,414,424	157,182	6,380,020
1823	99,009	6,282,672	63.46	36,684	1,987,507	154,055	6,437,627
1824	77,883	4,855,566	62.34	45,174	2,477,990	203,789	5,059,355
1825	75,984	6,115,623	80.48	53,920	1,871,368	172,353	6,287,976
1826	64,098	5,347,208	83.42	61,801	2,179,774	210,154	5,557,342
1827	100,025	6,577,123	65.75	45,812	2,730,255	239,024	6,816,147
1828	96,278	5,269,960	54.73	35,655	2,637,411	210,747	5,480,707
1829	77,131	4,982,974	64.60	19,509	2,619,399	202,396	5,185,370
1830	83,810	5,586,365	66.65	29,425	3,199,151	246,747	5,833,112
10 yrs.	824,245	\$56,889,291	\$69.11	417,134	22,450,228	\$1,946,410	\$58,835,701
1831	86,718	\$4,892,388	\$56.40	27,967	3,639,856	\$292,475	\$5,184,863
1832	106,806	5,999,769	56.18	31,175	3,456,071	245,771	6,295,540
1833	83,153	5,755,968	69.29	13,453	3,790,310	288,973	6,044,941
1834	87,979	6,595,305	74.96	57,826	3,956,579	328,409	6,923,714
1835	94,353	8,250,577	87.01	36,471	3,817,854	357,611	8,608,188
1836	109,442	10,058,640	91.54	46,018	3,246,675	435,464	10,494,104
1837	100,232	5,795,647	57.82	40,883	3,615,591	427,836	6,223,483
1838	100,593	7,392,029	73.48	75,083	5,008,147	577,420	7,969,449
1839	78,995	9,832,943	124.47	42,467	4,214,943	616,212	10,449,155
1840	119,484	9,883,957	81.05				
10 yrs.	967,755	\$74,457,223	\$76.83	371,343	34,746,026	\$3,620,171	\$68,193,437
TOTAL,	1,792,000	\$131,346,514	\$73.21	788,477	57,196,254	\$5,566,581	\$127,029,138

Statement showing to what Countries the Larger Portion of the Tobacco is exported.

<i>Years.</i>	<i>England. Hhds.</i>	<i>France. Hhds.</i>	<i>Holland. Hhds.</i>	<i>Germany. Hhds.</i>	<i>Other Countries. Hhds.</i>	<i>Total Hhds.</i>
1821	19,695	3,478	13,216	10,472	19,997	66,858
1822	26,740	4,665	23,584	11,757	16,423	83,169
1823	31,999	7,661	30,390	15,259	13,700	99,009
1824	19,418	4,469	23,159	12,808	18,029	77,883
1825	22,293	6,096	21,998	12,051	13,546	75,984
1826	25,854	10,739	15,465	7,523	4,517	64,098
1827	28,918	8,963	25,553	19,420	17,171	100,025
1828	25,176	5,909	21,216	23,949	20,028	96,278
1829	21,916	6,835	21,522	10,958	15,900	77,131
1830	19,910	7,007	22,576	15,318	18,999	83,810
10 yrs.	241,919	65,822	218,679	139,515	158,310	824,245
1831	26,372	1,673	23,917	19,833	14,923	86,718
1832	36,176	5,779	24,006	27,930	12,915	106,806
1833	23,772	4,782	19,022	21,408	14,169	83,153
1834	30,658	4,775	19,101	20,611	12,834	87,979
1835	27,563	6,312	17,730	27,989	14,759	94,353
1836	36,822	7,856	19,148	22,246	23,370	109,442
1837	20,723	9,110	22,739	28,863	18,797	100,232
1838	24,312	15,511	17,558	25,571	17,641	100,593
1839	30,068	9,574	12,273	14,303	12,777	78,995
1840	26,255	15,640	29,534	25,649	22,406	119,484
10 yrs.	282,721	81,012	205,028	234,403	164,591	967,755
TOTAL,	524,640	146,834	423,707	373,918	322,901	1,792,000

The Hon. William D. Merrick, United States Senator from Maryland, communicated to the National Intelligencer, on the 25th of January last, an address to the tobacco planters of the United States, forwarded to this country by Joshua Dodge, Esq., from the city of London, in November, 1840. Mr. Dodge was appointed by the President of the United States, at the express and unanimous desire of the select committee of the house of representatives on the tobacco trade, and of the general convention of tobacco planters, held at Washington, in May, 1840, as a special agent to attend to the interests of the tobacco trade of the United States with Europe. He soon after embarked from New York, and proceeded, via England, to his destination in Germany. As the address of Mr. D. contains suggestions and information both interesting and useful to those interested in this branch of commerce and production, we have concluded to lay it before our readers.

"The following will show the actual consumption of our tobacco in Europe, and the estimated amount of revenue derived by each government from the same :

	Hogsheads.	Revenue.
Russia	358	\$64,000
Holland	3,300	5,200
Belgium	4,000	12,000
Great Britain	18,000	17,275,000
France	10,000	5,500,000
Spain	3,000	5,000,000
Portugal	363	540,000
Italy, say Sardinia	1,200	2,000,000
Parma	130	
Tuscany	425	
Roman States	300	
Naples	400	
Austria and its dominions	4,000	3,400,000
Germany, (not including Austria,)	38,000	1,200,000
Sweden and Norway	1,800	70,000
Denmark	1,100	5,620
	86,396	\$35,071,820

"The annual average exportations of our tobacco from the United States from the 1st October, 1835, to 30th September, 1838, according to the statistical statement which I had the honor of addressing to the Hon. Mr. Jenifer, under date of April 27, 1840, was 103,422 hogsheads, costing in the United States \$7,748,772; of which 97,651, costing \$7,267,794, were exported to Europe. The difference between the 97,651 hogsheads and the quantity mentioned above as consumed, say 86,396 hogsheads, (after deducting the small quantity consumed in Gibraltar and Malta, free ports,) has unquestionably been smuggled from those countries of Europe where a low duty is charged into those countries where a different policy is pursued, say into England, France, Spain, Portugal, and Italy; and there is also no doubt but that a large proportion of that which I have mentioned as consumed in Germany is smuggled into the great German Union of Customs, and also into Austria, from the other states where the duty is low. However, one thing is certain, that on 86,396 hogsheads of American tobacco, costing in the United States \$6,450,820, and legally in-

roduced into Europe, a revenue is derived of about \$35,000,000, being nearly six times more than its original cost.

"To bring this question home to each individual planter, the following will show to what extent each one, according to the quantity he grows for exportation, contributes to the revenue of Europe.

"Supposing, in round numbers, our exportations to Europe to be 100,000 hogsheads, and the revenue derived therefrom to be \$35,000,000—

"	An American who raises 5 hogsheads contributes	\$1,750
"	" 10 "	3,500
"	" 25 "	8,750
"	" 50 "	17,500
"	" 75 "	26,280
"	" 100 "	35,000

"Now, can it be supposed by any reasonable man that you will any longer submit to such a state of things? The legislation of, and the duties levied, and monopolies existing in Europe on our tobacco, appear to have the double object of obtaining an immense revenue from the smallest possible quantity of material, and is consequently deeply injurious to the prosperity of our agricultural interests, by preventing a greater quantity from being cultivated. These high rates of duties and monopolies in Europe cripple your industry, preventing you from usefully and profitably extending the cultivation of your lands, which a bountiful Providence has, with a most liberal hand, provided for you.

"The following will show what would be the probable consumption of American tobacco in Europe if those high duties and monopolies were abolished:

"Taking the population of the United States at 17,000,000, and its consumption at 75,000 hogsheads, (which, I believe, is far below the quantity,) as the criterion of what the consumption would be in Europe, and considering its population (not including European Turkey) at 220,000,000, this would make the consumption of tobacco in Europe,

say *Hhds.* 970,588

"From which the following should be deducted:

1. The quantity grown in Europe, estimated from correct sources, as follows:

Russia	<i>Lbs.</i> 21,000,000
Denmark	225,000
Holland	5,800,000
Belgium	1,140,000
France	26,000,000
Germany, not including Austria	40,000,000
Austria and its dominions	35,000,000
Island of Sardinia	378,000
Roman States	1,215,000
Naples	1,125,000
Switzerland	297,000
Wallachia	1,350,000
Poland	3,150,000

136,680,000

Which, at 1,200 pounds per hogshead, would		
be	hhds.	113,900
2. I estimate the growth of Cuba at	lbs.	10,764,000
Porto Rico at		3,700,000
South America at		3,000,000
	lbs.	17,464,000
Equal, at 1,200 lbs. to the hhd., to	hhds. of	
which the greatest proportion is probably sent to		
Europe, say	hhds.	12,000
		<hr/> 125,900

Making the possible consumption of American tobacco in
Europe 844,688

"But, taking into consideration the want of means among the population of many of the countries of Europe to purchase our tobacco, I will suppose that the probable consumption of American tobacco in Europe would be only about one half of the above mentioned quantity, say 422,344 hhds.; this would be more than four times our actual exportations to the various countries of Europe, and would require at least 300,000 tons of extra shipping to carry it to market, and would increase the pecuniary means of our country more than twenty millions of dollars annually, adding an increased value to the state and other stocks of our country in foreign markets, and greatly augmenting the revenues of our government by affording us the means of greater importations, and consequently a low tariff, if the revenue should be found to be more than sufficient for the economical wants of our government.

"The annual average importations into the United States from the various countries of Europe, from 1st of October, 1835, to 30th September, 1838, amounted to \$97,251,339; of which \$42,653,867, equal to 44 per cent on the total average importations, were admitted free of duty; and, as the average exportations of our domestic produce of all kinds to the same countries of Europe, during the same period amounted to \$79,201,860, it will be seen that we have admitted, free of duty from Europe, an amount of its produce more than equal to one half of the exports of our domestic produce to the same countries.

"The average amount imported into the United States from Europe, during the above mentioned period, which was subject to duty, was \$54,597,477; and as the total average amount of revenue obtained by the American government, for the two years ending 31st December, 1838, by the importations from *all parts* of the world, was \$16,866,017, it may safely be estimated that, as a large proportion of the articles coming from Europe were admitted free of duty, the revenue which the United States has derived from the importations from Europe has not exceeded ten millions of dollars annually; so that if this revenue should be equalized on the total average importations from Europe, say \$97,251,334, it would only amount to a duty of about 10 per cent, whilst Europe is obtaining a revenue of at least thirty-five millions of dollars from 86,396 hhds. of our tobacco, costing, in the United States, \$6,450,820.

"Fellow-citizens, is this the reciprocity, is this the evenhanded justice, we have a right to look for, and to expect from foreign countries, whose industry, whose prosperity, and, it may also be said, whose tranquillity

depend upon our great and annually increasing markets for the sale of their produce ?

"Let me, therefore, respectfully recommend to you to be firm in your determination, and united in your efforts, to obtain justice, and you will certainly succeed in every country of Europe in obtaining a diminution of the high duties, and the abolishing of the shameful monopolies which exist on your industry."

W. G. Lyford, Esq., the editor of the Baltimore Commercial Journal, has republished in his valuable paper the foregoing address of Mr. Dodge, which he conceives to be essentially at variance with the official statements of the secretary of the treasury, transmitted to congress, under date of March 2, 1841, and other data with which he has been furnished by commercial friends, corroborative of the ground he takes in opposition to Mr. Dodge's report. We quote from the Journal the remarks of Mr. Lyford on this subject :

"The annual imports of tobacco into Russia, Mr. Dodge puts down at 358 hhds. The imports have been on an average annually of 2000 hhds., besides 1000 hhds. of Stems. Holland must consume much more than 3300 hhds. Last year 22000 hhds. were imported, of which, probably more than one half was consumed in the country. France has imported about 15000 hhds. per annum ; in 1840, about 16000 hhds. The importation into Spain must be underrated. Austria may be a little overrated. The statement that the duty there amounts to \$850 per hhd. is entirely erroneous ; and the revenue of \$3,400,000 includes no doubt the profits on inland tobacco sold by the *regie*. The estimates of the quantity grown in Europe are equally incorrect. The cultivation in France is nearly abandoned, and cannot be any thing near 26,000,000 lbs. The estimate for Germany and Austria is too low. Hungary alone has produced in one year 60,000,000 lbs.

"A dear article never takes the place of a cheap one. The tobacco raised in Russia, Holland, Germany, Austria, Poland, &c., though mostly of inferior quality, is cheaper than American tobacco would be, if imported there free of duty ; and the consumption in these countries could not be much increased.

"The estimate of the production of Cuba, the West Indies, and South America, is much underrated. Porto Rico has exported to Germany alone 60,000,000 lbs. in a single year ; and other important islands are lost sight of altogether. St. Domingo, for instance, raises large quantities of tobacco, of which upwards of 20,000 bales were exported last year to Germany.

"The consumption of the United States is probably much overrated, say about *one half*, and comparatively a small portion is consumed by smokers —by far the bulk is manufactured into 'chewing tobacco.' Of the growth of Maryland and Ohio, which is not fit for that purpose, only about 1,000 hhds. are annually consumed in the United States ; and taking this as the basis, which the consumption in Europe ought to be, the actual exports show an excess of *two thirds*. The Europeans might possibly be induced to consume more by *smoking* or *snuffing*, but they would protest against an extensive introduction of *chewing*.

"The interest of the tobacco growers in the United States might, probably, have been better represented, had Mr. Dodge attended the European markets, noticed the samples as presented, and the condition of the tobacco

when uncased, and advised owners and planters of the facts which exist to their prejudice, as set forth in a letter received by a commercial house in this city, of which an extract follows. We truly regret that a cause existed for such a letter; but our dealers should profit by it, and an investigation take place where it properly belongs."

"BREMEN, Dec. 28, 1841.

"We shall hardly be able to effect any further sales by your samples; as, much to our regret, we have convinced ourselves that several lots have turned out much inferior when re-drawn here, and we shall have to make some allowance in order to satisfy our customers. There is a difference of 1a2 grots per lb. in several hhds. of —'s mark; and among mark —, there are 10 hhds. which are on an average 2 grots per lb. inferior, and hardly resemble your samples. We are very sorry at such occurrences, as it must prejudice our buyers against these sales by American samples, which, under other circumstances, were very desirable on account of the saving in expenses."

ART. VI.—THE MEASUREMENT OF SHIPS FOR TONNAGE.

At the time our present rule of measurement for the tonnage of ships was adopted, it undoubtedly gave a near result to their actual capacity; all vessels at that time being modelled more alike—shorter, wider, and of less depth than they now are. But as it at present exists it is full of error, and is unfair and unequal in its application. It is as follows:

"Length on deck from the forepart of the stem to the after part of the stern post; width outside at the broadest part above the mainwales; depth from the under side of the upper deck to the ceiling of the hold. Then from the length subtract three fifths of the width—this sum multiply by the width and depth, and divide the product by 95: the quotient gives the register tonnage of a single-decked vessel. But if the vessel be double-decked, half the breadth of beam is to be taken as the depth of the hold, (its real depth not being measured,) and the same process as before gives the tonnage."

Under this rule it will be seen that the same vessel may measure more as single than as doubled decked, that a "kettle bottom" will carry three times as many barrels to a ton as a "Baltimore clipper:" and that in fact the registered tonnage of a vessel without other knowledge is no guide to her capacity.

As most shipping charges depend on the tonnage, a temptation has existed to build vessels of a form unsuited for sailing or working, ungainly in appearance, and unsafe as seaboats, in order to obtain the greatest amount of capacity with the least of measurement; and thus evading a part of duties and expenses in our own as in foreign ports, as well as rendering the introduction of improvements in the models of our ships slow and difficult. Since our tonnage duties were taken off, and the English and other foreign nations have adopted measurements differing from ours, the cases are not so strong, but still the reasons exist. Yet fortunately for the credit of our country, the experience and good sense of many of our shipowners, especially in the city of New York, have taught them that to sacrifice

every thing to the carrying qualities of a ship is bad economy—that extra ballast, obtained, trimmed, and got rid of with much labor and cost, also costs extra power of men, sails, and rigging to sail it; that a deep full ship goes only on her side, will not carry sail when necessary, sails dull and steers badly, is unsafe to run before the wind, and cannot be depended on to ware or stay in emergency; while on such vessels the underwriters are most frequently called upon to make up loss and damage.

The measurement of the cubic contents of a ship's hold is a complicated and difficult problem; at best but an approximate result can be obtained by any rule which could be generally applied; it is highly desirable that some system should be adopted, simple and uniform in its operation, not likely to be misunderstood or misapplied, and which should give an answer near enough to be a sufficient guide to the carpenter, merchant, and sailor in the construction, freighting, and management of a ship, whatever her form may be.

The present English rule seems to answer this requisition, its accuracy has been tested by complicated mathematical calculations, and the results have proved that it gives the comparative capacity of all ships, however built, with tolerable accuracy. There appears no good reason why we should not adopt it just as it stands. Our law was taken from their old one; its only merit is its simplicity, and even this is affected by the provision in favor of double-decked vessels. The English have changed this law because it has proved bad; nor is it likely that the aid of the best mathematicians has been wanting to make the new one as correct and simple as possible.

Extract from the statute 5 and 6 William IV. cap. 56:—"Divide the length of the upper deck between after part of stem and forepart of stern post into six equal parts; measure the *depths* at the foremost, at the middle, and at the aftermost of these points of division, in feet and decimal parts of a foot, from the under side of the upper deck to the ceiling at the limber strake; (in case of a break in the upper deck, the depths are to be measured from a line stretched in continuation of the upper deck.) Divide each of these three depths into five equal parts, and measure the inside *breadths* at the following points, viz: at one fifth and at four fifths from the upper deck of the foremost and aftermost depths, and at two fifths and at four fifths from the upper deck of the midship depth; at half the midship depth measure the *length* from the afterpart of the stem to the forepart of the stern post.

"Then to twice the midship depth add the foremost and the aftermost depths for the sum of the depths: add together the upper and lower breadths at the foremost division, three times the upper and the lower at the midship division, and the upper and twice the lower at the aftermost division, for the sum of the breadths.

"Multiply the sum of the depths by the sum of the breadths, this product by the length, and divide the final product by 3500: the quotient will be the number of tons for register.

"If the vessel have a poop or half deck or a break in the upper deck, measure the inside mean length, breadth, and height of such part thereof as may be included within the bulkheads; multiply these three measurements together and divide the product by 92.4: the quotient will be the number of tons to be added to the result first found.

"In steam-vessels, after applying the same rule, the tonnage due to the

cubical contents of the engine room is deducted from the result, determined as follows, viz: measure the inside length of the engine room in feet and decimals from the foremost to the aftermost bulkhead; multiply the said length by the depth at the midship division as aforesaid, and this product by the inside width at the same division at two fifths of the depth from the deck taken as aforesaid; divide the last product by 92.4; and the quotient shall be deemed the tonnage due to the cubical contents of the engine room.

"For ascertaining the tonnage (temporarily) when laden, measure length on upper deck as before; inside breadth on under side of upper deck at middle point of length; depth from under side of upper deck down the pump-well to the skin: multiply these three measurements together and divide the product by 130; the quotient gives the tonnage.

"The various dimensions are set forth in the register, and the tonnage carved on the main beam in figures at least three inches in length," &c.

In Holland the dimensions of all vessels are taken in eight or ten different places, and the burden calculated on the same principles.

In order to illustrate the foregoing remarks, the following descriptions of vessels have been selected as examples, their various dimensions having been ascertained by models and drawings, and in some cases from actual measurement.

First, A New York modelled ship, calculated for a southern packet, with large accommodations for passengers on deck, of light draft of water, requiring but little ballast, and combining all other good qualities as far as our improvements have gone. Dimensions: Length on deck 106 feet 6 inches; width of beam 26 feet 4 inches; and depth of hold 15 feet.

Depth at foremost division	.	.	.	.	15.8 feet.
Do. midship	.	.	.	.	15
Do. after	.	.	.	.	15.2
Width at one-fifth from deck, forward	.	.	.	.	22.4
Do. four-fifths do. do.	.	.	.	.	14.5
Do. at one-fifth, aft	.	.	.	.	22.4
Do. at four-fifths, aft	.	.	.	.	12.4
Do. at two-fifths, midship	.	.	.	.	23.6
Do. at four-fifths. do.	.	.	.	.	20.7
Length at half midship depth	.	.	.	.	103

(Sum of the depths $61 \times$ sum of the breadths $175.6 \times$ length $103 \div 3500 = 315.22$)—measuring as double-decked 330 tons, or as single-decked 377 tons, (having partner beams, but not a full deck below, which has often caused questions,) by the foregoing rule will measure 315 tons without poop deck, which would add thirty or forty more, will actually stow 3600 barrels of flour under deck, which is equal to 11 barrels to the ton, government measure, or 11.6 to the ton by the rule.

Second, A vessel of the class known as "high-decked," flat bottom and shallow hold, and stiff with many kinds of cargo without ballast. Length 91 feet; breadth 24 feet 4 inches; depth 11 feet 4 inches—gives government tonnage 221; by the English rule 182 tons—will carry 2100 barrels—equal to 9.5 per ton government, or 11.5 by the rule.

Third, A sharp-built "Baltimore clipper," of the class well known as the fastest sailers in the world. In such vessels, the stern and especially the stern-post, rake very much—the dead rise is five or six inches to the foot; the deck oval-shaped, wide amidships and narrow at the stern, and

draught of water two or three feet more aft than forward. Say length 91 feet; breadth 26 feet; depth 13 feet. Government measure 268 tons, while the foregoing rule gives but 161. Stows 1750 barrels, which is $6\frac{1}{2}$ to the ton, government, or 11 by the rule.

Fourth, The antipode to the last: a ship of the kind such as were built several years since, mostly at our eastern ports, for the freighting business, called "kettle-bottoms." They were calculated expressly to "cheat the tonnage" as much as possible, but fortunately are in bad repute and fast going out of fashion. Of great length in proportion to the width—beam measuring several feet more below water than at the deck, and preserving the same width very far forward and aft. Stem very little, and stern no rake. Floor long and flat, without dead rising; very full bows and stern, and very deep hold. Say length 120 feet; breadth 25 feet, (28 feet 6 inches below water;) depth 21 feet. Gives government measure 335 tons—by the rule 568 tons. Such a vessel would probably stow 6500 barrels or more, equal to 19.5 barrels to the ton, government, or three times as many as the clipper; while by the foregoing rule her rate would be 11.6 barrels to the ton.

It needs but to call attention to this subject to demonstrate the unequal bearing of the present rule. It is evident that by substituting a better mode, the improvements in shipbuilding, which are so hard to introduce, will become general, and a new impulse given to invention, while it is conceived that no interests can be injuriously affected by the change.

ART. VII.—RUSSIAN LAW OF CO-PARTNERY IN TRADE.

FROM the explanation of the regulations about guilds, in the Merchants' Magazine for January, 1842, it appeared that every merchant carrying on trade in Russia, whether a Russian subject or a foreign guest, must belong to a guild, and be possessed of a proper license, by which his privileges, immunities, and obligations are determined. The substance of the laws regulating matters of co-partnery and the responsibility of merchants trading in partnership, is as follows:—

1. Parents with their children, trading in one firm, are considered natural partners, with one joint capital, and require only one license, in which the parent and his children are named, paying only one single annual rate; the father, or if he be dead the mother, being responsible with the whole property of the family that shares the concern, and is accordingly amenable to law. Brothers, trading in one firm, with a joint capital, also require one license only, with payment of a single rate, and are jointly responsible and amenable to law.

2. Merchants' widows, but not merchants' daughters, are allowed to carry on trade in their own names. Sons of merchants, not separated from their fathers' or mothers' concerns, nor trading on licenses of their own, are not allowed to contract debts, or enter into liabilities by signing bills, contracts or bonds, except by special full powers from their parents, registered by local authorities; nor can they contract private debts in their own names, without the consent of their parents.

3. A merchant's wife's property, unless she be declared her husband's partner in trade with that property, is not responsible for the debts and liabilities of her husband, and it cannot be touched by creditors no more than that of children separated from their parents' concern, whether they be in trade or not. A father is, however, for himself, entitled to take away and dispose of the property of his son, although the latter be trading for himself; the father being for life considered the natural guardian of his son's conduct and property. These regulations refer both to Russian subjects and foreign guests.

4. When there is co-partnery between any two or more merchants, not related to one another in the first degree, each, though they be trading jointly, must be provided with, and pay the full rate of, a license for himself, provided he be a full partner of the concern; but the possession of a license is not required of a mere shareholder or "sleeping partner," who confines himself to the contribution of a certain capital on condition of having a share in the profits; but foreign guests have to sign a declaration that they have no secret partners *residing in Russia*. The Russian law thus distinguishes two capacities of partnership, namely—1st, full partnership; and 2d, partnership in trust, or mere shareholding. Merchants only, that is to say holders of licenses, can be full partners, while individuals of any rank or class of society may be shareholders in a company, with or without licenses of their own; the partnership in trust being embodied in the full partnerships.

5. A full co-partnery, composed of two or more individual merchants, agreeing by contract to carry on business together, under a firm, in which their names are joined, is called a commercial house. It must be founded on a regular contract, registered by a public notary, containing the terms and the endurance of terms agreed upon, and such contract enjoys validity equal to that of promulgated laws relative to the reciprocal obligations of the contracting parties among themselves, as well as their responsibility towards the public. The agreements of foreign guests between themselves and their friends at home, are not required to be registered in Russia, such individuals having barely to procure licenses and to sign declarations that they have no secret partners residing in Russia.

6. The declared full partners of a commercial house are responsible "in soli'dum," to the extent of the whole of their moveable and immoveable property and profits, for all debts, obligations, and liabilities contracted by the concern. The full co-partner of one commercial house is not, at the same time, allowed to be the full co-partner of another, although he may be a shareholder in other concerns, as an investment of property belonging to him.

7. A commercial house or full co-partnery cannot be opened, nor have legal commercial existence without having been regularly announced to the public by circular letters, and by a corresponding declaration made thereof at the town-house where the parties are resident; such declaration setting forth the nature of the co-partnership, whether full, or in trust from shareholders, or both; who the responsible partners are, by their christened and surnames; the amount of capital contributed by each, and the signature and seals of such full partners as are intrusted with the management of the business and the representation of the firm; together with the amount of capital derived from shareholders in trust, if any. It is not re-

quired that the latter be named in said declaration, they being comprised in the addition of "and company" to the firm.

8. The town-house reports to the ministry of finances on every establishment formed, with such particulars, as the declaration made, sets forth, as well as to the customhouse and commercial court.

9. The shareholders in trust of a co-partnery are only responsible to the public for the debts of the house, to the extent of the capital contributed by them, consequently they cannot reclaim it, or appear as creditors for it, if the firm become insolvent, nor withdraw the capital contributed before the expiration of the contract, or some time therein stipulated. Money, lent at mere interest, does not constitute a shareholder, and qualifies a mere creditor of the concern. Shareholders in trust, unless they be declared managers by full power from the responsible partners, or their firm, cannot, as mere shareholders in trust, transact business, or contract liabilities with anybody in the name, and for account of the firm.

10. The law also admits of joint-stock companies, under an anonymous firm, composed of a number of shareholders, one or more of them becoming permanent or elective managers of the establishment, without being subject to the regulations concerning full co-partners; but managing the concern according to the provisions of the contract, chartered to such company by government, and published in official papers at full length.

11. The number of such joint-stock companies is now very considerable in Russia and increasing continually. The principal establishments of this kind are—the Fire Insurance, Life Insurance, Steam Navigation, Gas-lighting, Cotton Spinning, American Trading, Railroad, Water Conducting, etc., Companies at St. Petersburg; the Maritime Insurance Company at Odessa; the Silk Raising, Sheep Raising, Asiatic Trading, Linen and Hemp Manufacturing, Beet Root Sugar Refining, Havana Sugar Refining, Steam Navigation, and other companies in different parts of the empire.

12. There is also a regular system of granting patents for new inventions, and the introduction into the country of inventions patented in other countries.

ART. VIII.—MORALS OF TRADE.

NUMBER FOUR.

THERE are mooted questions relating to trade, some of which we propose, in the course of these papers, to discuss. Among these none is more worthy of consideration than, *whether one who has failed in business, and afterward reinstated himself in point of property and credit, is bound by the laws of honor to pay his old debts*; debts from which he received a discharge by giving up all his property—of course he is free from any legal liability.

We take the position, for the sake of the argument, that he is *not* under any obligation to pay these old debts. And in order to reach the right of this question, we must examine the mutual relations of buyer and seller, of borrower and lender. A purchases goods of B, or borrows money of him, for which he gives his note payable in six months. A has often obtained and fulfilled such credit, and B is glad to sell to him or lend him money

to any amount. As long as business goes on prosperously, B feels himself to be the obliged party. But some unforeseen accident happens in mercantile affairs; the currency is deranged; there is a war or an epidemic; business is at a stand. A cannot meet his demands. He fails and relinquishes all his property for the use of his creditors. When he created this indebtedness he did it in good faith, and, accident apart, B would have reaped great benefit from his dealings with A. Now the question occurs, upon whom the weight of the accident shall fall. Here is a contract mutually advantageous to two individuals, the buyer and seller; the dark days come—must A bear all the burden, and spend the remainder of his life in saving B from any possible loss in a case over which he had no control? When A borrowed of B, why did he agree to pay him seven per cent for his money? Was it not to cover the risk as well as the use? Or, when he purchased the goods, did he not allow B a handsome profit upon them? How can it be, we would ask, that B, who considers himself the obliged party, as long as things go on smoothly, the moment any difficulty occurs, refuses to bear his share of the loss?

The whole difficulty of this question consists in the erroneous idea that the seller or lender is the obliging party. The fact that he gives credit to the buyer and enables him to conduct his business, is considered a matter of so great accommodation, that he must be paid for it at any cost. But it is not so. The country merchant, the city retailer, are the agents, in one sense, of the importer. They buy of him to distribute again, and his profit must come from the consumer. He is as much interested to sell as they are to buy. He is receiving benefit in the main from such operations, and he must bear his share of the risk. Is it not true, besides, that the importer or jobber holds out inducements to the country merchant to buy when he esteems his credit good; and often forces upon him more goods than he can prudently carry to his market? All these matters must be considered in settling this question; and besides, it must be kept in mind that the seller walks with his eyes open. He can select his own agents; give or refuse credit; easily learn the state of him to whom he intrusts his property. Moreover, the obligation is not on one side; it is a mutual risk. The retailer hopes to prosper and to be able to take up his notes in due time. He is rational in his expectations, prudent and economical in his expenses. But he may fail. He does not control the currency, the government, the trade of the nation. Property falls; money is scarce; the crops are cut off; acting in good faith, supported by experience, still his hopes are disappointed, and his goods are sold under the hammer, and he has not a shilling in the world.

This is no unusual case. But the energy of a man is left to him. He has a family to support, and he struggles on in spite of his losses. He succeeds not only in gaining a support, but enjoys his accustomed luxury. Is he to blame because he does not cancel his old debts, under the view we have taken of the relations of buyer and seller? We think not.

But still another difficulty lies in the way of a true view of our question, which we have decided in the negative, with the understanding that there has been no fraud, no misrepresentation, no carelessness, no extravagance. And this difficulty is, that they who argue against us, take it for granted that misfortunes in business, some how or other, involve some laxity of principle, or, at least, some culpable carelessness. Far be it from the writer to assert that every man must not make amends for all his

neglects. Show a case where failure is the consequence of wilful fault, and our argument does not apply. We then shall take the other side, and say that the law of honor requires payment to the last farthing.

The newspapers were lately lauding a man who worked at day-labor for twenty years or more to pay his endorsement on notes which he had given to oblige a friend, and from which he had never reaped a cent of benefit. This was heroic; and yet we must confess it looks a little Quixotic. This case is a kind of infatuation of honesty. It looks too much like praying in the market-place. Still, let us not judge the man harshly. It may be he imprudently became security for his friend; without sufficient examination, without reflection. He endorsed those notes, perhaps, as people often endorse paper, for the sake of a like accommodation to himself. In this view he did perfectly right in slaving himself to pay. He did but an act of bare justice, unusual and extravagant as it may seem. What we object to is the calling of the act by a wrong name. We believe it was noticed as a case of "remarkable honesty;" as if all men are bound to do likewise according to the laws of trade, the morals of trade—a position to which we object. The man had a perfect right to do this act. If his conscience demanded the sacrifice, he is a hero. But nevertheless this instance must not operate as a silent rebuke upon those who under the principles we have endeavored to establish do not the same.

A story is also current among business men, of a merchant who, failing in trade, left his country, in poverty, and, after an absence of many years, returned. He made a great entertainment and invited all his creditors, to whom he had before this paid as much as he could; and under the plate of each one was found a check for the full amount of the debts from which they had long ago discharged him, with interest to the very day. This was a fine act—the luxury of honesty. Such a man never could have failed by any fraud. But we appeal to our readers if these cases are instances upon which principles are to be established for the regulation of trade.

Not one in a hundred is able to do this, even if he have all the will in the world; and must he, who cannot do it, consistently with the claims of his children to support and education, feel that a stigma rests upon his name? Not so; all the laws of justice forbid it; equity and the law of the land do not require it, nor does religion make the demand.

It is questionable if such anecdotes do not work harm to public morals. They do away nice distinctions, and for the substance and principles of justice and fairness, they substitute a wild heroism of action which in grasping at one noble act tramples in the dust some humble virtues. Let us suppose, to illustrate our meaning, that the day-laborer, first noticed, in putting before his mind this exciting object, this practical satire upon public honesty, neglected his health, his home, his children; gave nothing to schools, to religion, to public improvements. Absorbed in this one object, every thing else was forgotten, and his duties as a husband, a father, a citizen, a being dependent upon God, were made to yield to this chivalrous act of honesty. We say in such a case the infatuation of the man is an object of pity, and we must think better of his heart than of his head.

And so, too, of the second case we have noticed, if we may suppose circumstances about it, is it not possible that great sacrifices of important

principles may have enabled the man to do this great thing? May not a love of reputation, of superiority, of notariety, had as much to do with the act as duty? The fact is, it was *not* duty; or rather, it was only duty to this very man, because he thought it to be so, and his conscience demanded it. In this case too we must think better of the impulses of the man than of his reasoning powers.

It is certainly important to come to a right understanding upon this point.

The position we have assumed to advocate, looks paradoxical upon a superficial view; and yet it really rests upon common sense and argument. The safety of commercial enterprise depends upon it. We succeed by experiment in science; by seeking we find. There are uncertainties in trade, experiments which may be made with reasonable hope of success. A man is under obligation to use prudence, but the best human wisdom is not certain in its attempts. If misfortune overtake a man, in enterprises in which the public are interested almost as much as himself, is this mill-stone of debt to weigh upon his conscience and cramp his energies, destroy his self-respect and his happiness, from some ultra notions about honesty? The projector of some great work which does honor to the country; widens commerce; adorns cities; connects by easy travel distant places; which gives employment to hundreds of needy persons, may fail. Such a man often fails because he has been so much occupied with the public interest that he has lost sight of his own; and must he be forever bowed down by this weight of debt? Must he who has performed such services for the public be a slave while others are free in the very enjoyment of means his enterprise planned? Is the public interest, national prosperity, to fatten upon the vitals of such a man?

Let us be satisfied in asking for justice, a justice decided upon a full view of the whole matter, and not that impulsive justice, which, like indiscriminate charity, often creates the very wants it would, in a blind enthusiasm, relieve. By asking too much there is danger of losing all. By laying down impracticable rules as principles, we may weaken the sense of moral obligation; because it is almost certain that these rules will be broken and evaded, and with them other regulations of vital importance. If it be true that governments may legislate too much; that too many laws and enactments take away the soul, the elasticity, the moral spring of a people, and end in brutal revolution and rivers of blood; it is also true in trade, and in all those smaller conventional governments, which divide a country into little principalities, over which public sentiment reigns as dictator, the mechanics, the merchants, the professions, that the principles they profess by being too strict, leaving little or nothing to the individual, which he may do or not do, as he pleases, will produce anarchy and confusion.

To apply this reasoning to the question under discussion, we believe fewer instances would be found in which old debts would be left unpaid, by allowing the merchant who had failed to consult his conscience upon the matter, rather than an exacting rule. If, on the contrary, any stain remained upon him if he did not pay, when perhaps he would not do so, from circumstances about which the public could have no means of knowing, it would rob him of peace and happiness, and put it out of his power to give that attention to his business necessary to his success. Besides, a wrong public sentiment would palsy his efforts to restore himself to a con-

dition in which he might satisfy the claims of his creditors. Therefore it is that we contend that no stigma should rest upon a man who does not deprive himself of every thing to pay claims from which he has been discharged.

ART. IX.—LAWS RELATIVE TO DEBTOR AND CREDITOR.

NUMBER XV.

WISCONSIN TERRITORY.

ORGANIZATION AND JURISDICTION OF THE COURTS.

THE supreme court is the highest judicial tribunal in the territory, and exercises an appellate jurisdiction, only, from the district courts. It is composed of three judges, each of whom holds a district court twice in every year in the counties composing his respective district. The district courts have original jurisdiction within their respective districts in all civil actions in law or in equity, and appellate jurisdiction in all cases in their several districts from the probate court and decisions of justices of the peace. The said courts in term time, or the judges thereof in vacation, have power to award throughout the territory, returnable in the proper county, writs of injunction, ne exeat, and all other writs and process which may be necessary to the due execution of the powers with which they are invested; and the said courts respectively have power to hear and determine all cases of crimes and misdemeanors committed within their districts. The supreme court holds its session, annually, at Madison, the seat of government, commencing on the first Monday of July. The following are the judges:

Hon. CHARLES DUNN, Chief Justice, and Presiding Judge, 1st District.

“ DAVID IRVIN, Associate “ “ “ 2d. “

“ ANDREW G. MILLER, “ “ “ 3d. “

Reporter of Decisions of the Supreme Court—Hon. Jonathan E. Arnold.

United States District Attorney—Thomas W. Sutherland, Esq.

Attorney General for the Territory—Mortimer M. Jackson, Esq.

In the territory of Wisconsin all writs and process are in the name of the *United States*. Suits for the collection of debts are commenced, either,

1st. By summons, or original writ; or,

2d. By *capias ad respondendum*; or,

3d. By declaration; or,

4th. By attachment.

By a *summons*, which is issued by the clerk of the court, on a *præcipe* being filed by the attorney, the defendant is merely commanded to appear and answer the complaint of the plaintiff on the first day of the term.

A *capias ad respondendum* is issued in any action of debt, assumpsit, or in any action founded upon contract, upon the plaintiff, his agent, or attorney, making affidavit before some supreme court commission, or district judge, stating that the defendant is indebted to him, and in what sum, and as he verily believes, either,

1st. That such defendant is a non-resident of the territory, and that the debt was contracted therein; or,

2d. That he is about to remove his residence from the territory, with intent to defraud his creditors; or,

3d. That he has removed his property out of the territory for the purpose of defrauding his creditors.

When the defendant is arrested under the writ of *capias ad respondendum*, he must either give bail in the penal sum of double the amount sworn to be due, with two sureties, at least, each of whom shall make affidavit that he is worth the amount stated in the bond over and above all his debts, or he must be committed to prison for the want of such bail. He can, however, be discharged from custody upon application to a judge of the district court, supreme court commissioner, or justice of the peace, and giving notice of such application to the person at whose suit the arrest was made, and rendering a schedule of all property, money, and effects within the territory, and delivering the property over to the proper officer to satisfy the plaintiff or plaintiffs, or a sufficient amount to satisfy the debt, and taking and subscribing an oath that such schedule is correct.

A suit is commenced by *declaration*, by filing in the office of the clerk of the proper county a declaration, entering a rule in the minutes kept by such clerk, requiring the defendant to plead to such declaration within twenty days after service of a copy of such declaration and notice of such rule, and serving a copy of such declaration and notice of such rule personally on the defendant, which service may be made by the attorney of record, or by any officer competent to serve process in the district courts of the territory. Whenever a suit is commenced by declaration, such declaration is considered the first process in the cause.

An *attachment* suit may be commenced in the territory when any creditor, his agent, or attorney, shall make oath in writing before any proper officer, that his debtor has absconded, as he verily believes, or shall satisfy such officer that such debtor is about to abscond, to the injury of his creditors, or that such debtor is not a resident of the territory, or that he so conceals himself as to avoid the service of process, or that such debtor is about to remove his property or effects out of the territory, or is about fraudulently to remove, convey, or dispose of the same, so as to hinder or delay his creditors, and shall file the same with the clerk of the district court, such clerk shall issue a writ of attachment. This attachment reaches all the lands, tenements, goods, chattels, rights, credits, moneys, and effects of the debtor, except such as are exempt from execution, wheresoever the same may be found. No attachment issued under the provisions of the statute, at the suit of any person who is not a freeholder, or a resident of the county, shall be served by the said officer, unless the same shall be endorsed by some freeholder of the county as security for costs.

If the plaintiff, or other credible person, shall make oath that he has good reason to, and verily does believe, that any person (naming him) has property (describing the same) in his possession belonging to the defendant in the attachment, such person shall be summoned as a garnishee to appear at court and answer under oath all questions put to him touching the property and effects of the defendant in his possession, or within his knowledge, and such garnishee shall stand liable to the plaintiff in the attachment from the day of service. And a suit of *capias ad respondendum* may be instituted against such garnishee, who shall be held to special bail, on the plaintiff, or other credible person, making and filing oath that he has good reason to, and verily does believe, that such garnishee will abscond before judgment and execution can be had against him.

The first and second term after the issuing of the writ of attachment, the defendant is called and his default entered; at or before which second term the said plaintiff, *and every other creditor of the defendant*, may file their declarations setting forth in a proper manner their cause of action. After judgment for the plaintiff in the attachment, the property attached shall be sold, and the proceeds thereof, after discharging the judgment of the first attaching creditor, shall be divided among the other creditors in proportion to the amount of their respective judgments.

Creditors whose demands amount to not more than fifty dollars, and not less than five dollars, may sue their debtors by *attachment*, before a justice of the peace in the following cases:—

1st. When the debtor is not a resident of the territory.

2d. When the debtor has absconded or concealed himself, so that the ordinary process of law cannot be served upon him.

3. When the debtor is about to abscond, or remove his property out of the territory, so as to hinder and delay his creditors.

4th. When there is good reason to believe that the debtor is about fraudulently to convey or dispose of his property or effects, so as to hinder or delay his creditors.

Every action instituted by attachment must be brought before some justice of the county wherein the property of the defendant may be found.

BILLS OF EXCHANGE AND PROMISSORY NOTES.

All bills of exchange which may be drawn within the territory, upon any person or persons, body politic or corporate, out of the United States, or territories thereof, and which shall be protested for non-acceptance or non-payment, the drawer or endorser of such bills shall pay them with legal interest, according to their tenor, and *twenty* per cent damages in addition, together with the costs and charges of protest. The damages on all bills of exchange drawn on some person or persons, body politic or corporate, out of the territory, but within some state or territory adjoining the territory of Wisconsin, are *five* per cent, but when drawn on some person or persons, body politic or corporate, out of the territory, but not within a state or territory which adjoins the territory of Wisconsin, the damages are *ten* per cent.

All promissory notes in writing made and signed by any person, or by a factor, or agent of any merchant or trader usually intrusted therewith, whereby such person, or any merchant or trader, by such factor or agent, shall promise to pay to any other person, body politic or corporate, his or their order, or unto bearer, any sum of money therein mentioned, shall by virtue thereof be taken and construed to be due and payable as therein expressed, and shall have the same effect and be negotiable in like manner as inland bills of exchange, according to the custom of merchants; and the payees or endorsees of every such note payable to them, or their order, shall and may maintain their action for such sum of money, against the makers and endorsers of the same respectively, in like manner as in cases of inland bills of exchange, and not otherwise.

JUDGMENTS.

All judgments in the district court of the territory have the operation of, and are liens upon, the real estate of the person or persons against whom such judgments may be rendered, from the day of the rendition thereof, in

the county within which such judgment may be rendered, and the county or counties thereto attached for judicial purposes. It is made the duty of the clerk of any court in which such judgments have been rendered, when applied to for the purpose, to make out an attested copy of the record of such judgment, authenticated by the seal of the court, which attested copy may be filed in the office of the clerk of any district court within the territory, and when so filed it shall operate as a lien upon the real estate of the person or persons against whom such judgment may have been rendered, situate in the county in which the same may have been as aforesaid filed and entered, in the same manner and to the same legal extent that the same would have done had such judgment been originally in the district court of the said county. No judgment can operate as a lien on, or bind real estate, after the lapse of ten years from and after the date of the rendition thereof, unless the same be renewed and revived by *scire facias* against the judgment debtor, his heirs, or devisees, or *terre tenants*.

EXECUTIONS.

Real estate sold under execution in the territory, or any distinct part or parcel, may be redeemed within two years from the date of the sale of the same. The terms and manner of redeeming real estate are by the payment to the purchaser, his personal representatives, attorney or assigns, or to the officer who made such sale, for the use of such purchaser, of the sum of money which was bid on the sale of such real estate, together with interest on that sum from the time of sale at the rate of twelve per cent per annum. The following property is exempt from sale and levy under execution:—All spinning-wheels, weaving-looms or stoves, put up, or kept for use in any dwelling-house. The family bible, family pictures, and school books used by or in the family of such person, and books, not exceeding in value one hundred dollars, which are kept and used as part of the family library. A seat or pew occupied by such person or his family in any house or place of public worship. All sheep to the number of ten, with their fleeces, and the yarn or cloth manufactured from the same; one cow, five swine, the necessary food for all of them, all pork, beef, fish, flour, and vegetables actually provided for family use and necessary for six months' support, and necessary fuel for the family for one year. All wearing apparel, beds, bedsteads, rocking cradle, and bedding provided for the use of such person and his family, necessary cooking utensils, one table, six chairs, six knives and forks, six plates, six teacups and saucers, one sugar-dish, one milk-pot, one tea-pot and six spoons, one crane and its appendages, one pair of andirons, and a shovel and tongs; other household furniture necessary for the debtor and his family not exceeding fifty dollars in value. The tools and implements of any mechanic or miner necessary to the carrying on of his trade, not exceeding one hundred dollars in value. The uniform of an officer, non-commissioned officer, or private in the militia, and the arms and accoutrements required by law to be kept by him. Rights of burial and tombs, whilst in use, as repositories for the dead. All necessary farming utensils not exceeding in value forty dollars, and one work horse not exceeding in value sixty dollars, or one yoke of oxen, are exempt from execution where the principal occupation of the debtor is farming. The libraries of lawyers, physicians, and clergymen, and surgical instruments are exempt from execution, not exceeding two hundred dollars in value.

CONVEYANCES.

All deeds or other conveyances of any lands, tenements, or hereditaments lying in the territory, signed, sealed and delivered by the parties granting the same, and signed by two or more witnesses, and acknowledged by the party or parties executing the same, or proved by one or more of the subscribing witnesses, before one of the judges or commissioners of the supreme court, a notary public, or a justice of the peace of any county within the territory, and a certificate of such acknowledgment or proof being endorsed thereon, and recorded in the office of register of deeds for the county where such lands, &c., are situate, are good and valid to pass the same lands, tenements, or hereditaments, to the grantee or grantees, without any other act or ceremony in law whatever.

All deeds and conveyances of lands, tenements, or hereditaments situate, lying, and being within the territory of Wisconsin, which may be made and executed in any other state, territory, or country, whereby such lands, tenements, or hereditaments, shall be conveyed in whole or in part, shall be acknowledged or proved and certified according to, and in conformity with the laws and usage of the territory, state, or country, in which such deeds and conveyances were acknowledged and proved; and all such deeds and conveyances are effectual and valid in law to all intents and purposes, as though the same acknowledgments had been taken or proof of execution made within the territory, and in pursuance of the laws thereof; and such deeds and conveyances so acknowledged or proved as aforesaid, may be recorded in the respective counties in which such lands, tenements, or hereditaments may lie.

INTEREST.

Any rate of interest which persons may agree upon, not exceeding twelve per cent per annum, is legal and valid. Upon all bills of exchange, promissory notes, contracts, debts, or demands, wherein the rate of interest is not specified, it is computed at seven per cent per annum.

PARTNERSHIP.

Whenever, in any action, the plaintiffs in their declaration, or the defendants in their plea or notice, aver that the plaintiffs or defendants, or third persons were partners at any particular time; or that as such partners they used any particular partnership name or style under which business was done; such averments are taken to be true, unless expressly denied by the affidavit of the opposite party, or some one in his behalf, within the usual time of pleading.

SACREDNESS OF DEBTS.

PROPERTY purchased on credit is a deposit placed in your hands, which it would be fraudulent for you to use in any manner so as to endanger the interests of your creditors. Flattering prospects of gain in this way sometimes occur; but they too often prove delusive, and leave the rash adventurer under an insupportable load of responsibility. Debts are sacred, and every honest man will do every thing in his power to discharge his obligations, with punctuality and honor.

ART. X.—SKETCHES OF DISTINGUISHED MERCHANTS.

NUMBER IV.

BENJAMIN BUSSEY, OF ROXBURY, MASS.

THE papers have recently announced to us, says the Boston Daily Advertiser, the decease of BENJAMIN BUSSEY, Esq., of Roxbury, and his character and liberality make it proper that he should not be permitted to pass away unnoticed.

He was born in that part of Stoughton now included in Canton, in the county of Norfolk, in this state, March 1st, 1757. His father, Benjamin Bussey, was the son of an English farmer, but was born in Canton. The subject of this notice was blessed with religious, industrious, and energetic parents. His mother was a daughter of Deacon Joseph Hartwell, of Stoughton, one of the best farmers in Massachusetts. He had two sons and three daughters; besides the mother of Mr. Bussey, one daughter was the wife of the celebrated Roger Sherman, and the third was the wife of Mr. Ingraham, a grandson of whom is the Hon. Ruel Williams, Senator of the United States from Maine.

For several years after his birth, Mr. Bussey resided with his maternal grandfather. His father was a master-mariner, and often absent at sea; but abandoned that employment in 1763, purchased an estate in Canton, and became a country merchant. Mr. B.'s mother died of the small-pox, at the age of thirty-nine. His father afterward married again, and lived to be eighty years old; but had no child by the second marriage. His widow died at an advanced age, A. D. 1839, in Canton, where she had been supported and supplied by Mr. Bussey with every comfort for many years. After Mr. Bussey's father purchased his estate in Canton, his son, Benjamin, resided with him constantly, attending school during several winters, and afterward devoting his time partly to business in his father's store and partly to the cultivation of the farm.

At the commencement of our revolution, Mr. B. was about eighteen years old, and his father then gave him the residue of his minority, and relinquished all interest in his future earnings. He immediately joined a military company, whose first enterprise was the seizure of the cattle and sheep on the islands in Boston harbor, for the use of the patriots. In 1776 Mr. Bussey had the small-pox severely. After his restoration to health, he enlisted as a private soldier in the company of Capt. Stow, and went to Ticonderoga, where his talents and good conduct were soon rewarded by the office of quartermaster of a regiment, at the early age of nineteen. The term of his enlistment expiring in December, 1776, he returned home and remained there until the next year, when he was appointed quartermaster in Col. Gill's regiment, and joined the troops who marched to arrest the progress of Gen. Burgoyne. His regiment formed part of Gen. Warner's brigade, which was assembled near Skeenesboro', and was included in the division of Major General Lincoln. Mr. Bussey was in the battles of Saratoga and Bemus heights, and was present at the surrender of Gen. Burgoyne. Soon afterward he returned home, and there passed the winter of '77 and '78, which he always regarded as lost time, saying, that in the army he had acquired habits of idleness and expense, in which he then indulged. But this state of things could not endure long with one

of his character and temperament. He saw other young men actively employed, and it was not in his nature quietly to see others doing more, or doing better than himself.

In the spring of '78 he resolved to go into business. But he had no capital. His father had lost much of his small property by bad debts, and by a bad currency during the revolution, and could not give his son much assistance. He gave him a very small amount of paper money, accompanied with advice to be always diligent,—to spend less than he earned,—and never to deceive or disappoint any one. From his grandfather Hartwell he obtained fifty dollars in silver. He then concluded an arrangement in business with a Prussian, who had come to this country with the Hessian troops, and was a skilful silversmith. Having purchased the necessary tools, he had only ten dollars left as his whole capital, and owed fifty dollars borrowed money. But he possessed an iron constitution—principles of strict integrity, and a spirit of perseverance which nothing could subdue or tire. In one year he made himself acquainted with all the details of his business as a working silversmith; he had acquired some capital,—and his success had been equal to his expectations. Articles of gold and silver wrought by his own hands may be seen in and near Boston. In two years he purchased the real estate on which was his store—and he owned this property at his decease. For a long time it has been occupied by a widow, to whom he gave the use of it for her life.

In August, 1780, he married Miss Judith Gay, of Dedham, with whom he lived happily until his decease. This connection was most fortunate. Nowhere could he have found one more prudent, industrious, and attentive to his interests, than the lady to whom he thus allied himself and his fortunes. After marriage he did not neglect his business, nor squander his earnings in costly furniture, nor indulge in idle expenses. But he and his wife continued in the same habits of thrift and industry which he had previously practised.

He soon dissolved his connection with the Prussian, but continued in the business of a silversmith, and added to his stock many of the articles usually found in the store of a country trader.

He remained in Dedham till the year 1792: during the last ten years he had been very successful. His stock of goods was large; and he owed very little, as his dealings were generally for cash or in barter. He very seldom gave or took credit.

He supplied many traders in Providence, Newport, and other places with most of their goods. He was just and liberal in his dealings, and was never accused of oppressing a debtor. To show the skill and enterprise with which he conducted his affairs, we may mention that, at the end of each business season, while he was in Dedham, he was in the habit of intrusting to his agents most of his stock then remaining unsold, which they would carry to distant places, and there retail at private sale for cash. Thus he was never troubled with an old stock of goods. He also purchased large quantities of furs, shipped them to England, and received the proceeds in merchandise, which he afterward sold at Dedham.

In the year 1792, he removed to Boston, and opened a store in State-street. Here his course was marked by the same industry, economy, vigilance, and integrity, as at Dedham. There was no merchant whose credit stood higher. His business rapidly increased—he became deeply

concerned in commerce—dealt largely with England, France, and Holland—owned several large vessels, and was engaged in heavy and distant mercantile adventures. But they were all legitimate business transactions. He never was a speculator, and he always regarded the character of one with contempt. He continued to be an active merchant in Boston for about fourteen years, when ill-health compelled him to retire from business.

He purchased a part of his beautiful estate in Roxbury in the year 1806, and made large additions to it afterward. There he built his mansion-house about the year 1815, in which he resided until his decease.

Being a man of active mind and habits, he could not be idle. After he ceased to be a merchant, he became a farmer and a manufacturer. His farm is one of the best in the state, and contains more than 300 acres of excellent land.

He established extensive woollen factories in Dedham, in which some of the most important improvements in machinery, for that department of manufactures, were first invented and used. He owned a large property in different parts of the state of Maine, where his liberality, and his numerous benefactions, will long be remembered.

Mr. Bussey was a gentleman of the old school—dignified, courteous, and hospitable. No honest man, who approached him, had reason to say he was proud and overbearing. He was kind to every one. He neither spoke ill of others, nor received any satisfaction in listening to slander. He harbored no envy or malignant feeling. There was not a human being, who ever injured him by word or deed, who could provoke him to seek revenge, or whom he would not serve, if he had an opportunity.

In religion he was a Unitarian; but he had a catholic spirit, and was liberal to all sects—holding that every man is accountable for his religious opinions to God alone. It would not be easy to name a sect, to which he has not given evidence of his munificence. He deemed religion so essential to the welfare of man and the well-being of society, that he often said that every religious society should be encouraged—for any religion was better than none.

He was a man of quick observation, rapid decision, sound judgment, and great perseverance. Frank, and high-minded, he could not endure falsehood, deception, or meanness in others.

He had a right view of the true uses of property. He did not look upon it as his to hoard. He regarded it merely as trust property—and himself as Heaven's almoner, bound to dispose of it wisely for the good of God's creatures, and accountable at his bar for the disposition he might make of it.

He was always ready to contribute liberally to objects of a useful and public character; and no poor or distressed person was turned away, unrelieved, from the door of this rich man.

In his youth the means of acquiring education in our common schools were small; but, by diligent reading, and by always keeping good society, he became familiar with history, biography, polemical learning, the principles of agriculture, and the history and principles of commerce and manufactures. On these subjects he was not a learned man; but his acquirements and knowledge were very respectable.

After he retired to the country, his health was almost uniformly good. He was not confined to his house by his last illness more than six weeks;

and he expired with little pain, January 13th, 1842. Had he lived to the first day of March next, he would then have completed his 85th year. He died with Christian firmness and resignation. A few days before his decease, he said to a friend, that God had ever ordered all things wisely and kindly for him; and he could see it to be so even then, and in what, to many, might appear grievous affliction. "How much better is it," said he, "that I should be called away now, than be permitted to live a few years longer, when my faculties might become impaired, and life cease to be a blessing. I am resigned to my Maker's will."

Mr. Bussey had several children, but neither of them survived him. He left a widow, one grandchild, and several great-grandchildren. His disposition of his large estate places him among the greatest benefactors of Harvard University, of its schools of divinity and law, and will cause him to be remembered with gratitude and respect by every farmer in the United States.

By his will, he first makes liberal provision for his widow, grandchild, great-grandchildren and others. He gives, through trustees, to his widow and two others (now living) respectively, and in succession, the use of his extensive farm in Roxbury, with the mansion-house, &c. for life. At the decease of the survivor of them, and subject to the payment of any annuities then existing, he gives all his property to Harvard University for the following purposes: The estate in Roxbury is to be held forever as a Seminary for "instruction in practical agriculture, in useful and ornamental gardening, in botany, and in such other branches of natural science, as may tend to promote a knowledge of practical agriculture, and the various arts subservient thereto and connected therewith." The Government of the University is also "to cause such courses of lectures to be delivered there, at such seasons of the year and under such regulations as they may think best adapted to promote the ends designed; and also to furnish gratuitous aid, if they shall think it expedient, to such meritorious persons as may resort there for instruction." One half of the nett income of his property is to be appropriated to maintain that institution; and the residue of the income is to be divided equally between the divinity school and the law school of the University.

When it is considered that his property will probably amount to not less than three hundred and fifty thousand dollars, we cannot be mistaken in placing Mr. Bussey in the front rank of public benefactors.

The example of his life should not be lost. It teaches young men the value of a capital consisting of integrity, economy, and persevering industry. It is not without a moral for the rich: they should learn from his example to aid in all good works—to relieve the poor and distressed—to treat those, less fortunate than themselves, with kindness; remembering that, in a few short years, the grave will make their fortunes equal—that society expects them to use their riches wisely and liberally; that an avaricious rich man is at least as useless to society as a spendthrift, and entitled to little more respect; and that good deeds, done to others, are the foundation of happiness and respect in this life, and of the gratitude of man and the rewards of Heaven after our decease.

May the benevolent intentions and liberal provisions, expressed in the will of the deceased, be carefully and wisely executed—so that all the good which he proposed may be fully and forever realized by the community.

MERCANTILE MISCELLANIES.

MERCANTILE LIBRARY ASSOCIATION OF NEW YORK.

It gives us great pleasure to present to our readers the following interesting annual report of the Mercantile Library Association of New York. It exhibits a clear and comprehensive view of the condition and prospects of that noble institution. We are gratified to perceive that in both these respects it is highly flourishing. Its library, which is constantly increasing, already affords the most ample range for the student, and lovers of varied literature, presenting a vast variety of valuable works upon every subject within the wide compass of human knowledge. Its reading rooms are well filled with magazines and reviews, emanating from various portions of the eastern and western continents. That the members of this association enjoy almost unequalled advantages for the acquisition of varied and useful learning there can be no doubt, and that they improve these advantages during the many leisure hours they possess, it gives us much pleasure to state. The efforts of the officers and directors of this institution for the past year to elevate and advance its reputation and usefulness, have been eminently successful, and the efficient manner in which they have managed its various interests is deserving of the highest praise. With every succeeding year its wealth and stores of knowledge have increased, while the number of its members has advanced in proportion. The influence it now exerts upon the mercantile portion of our citizens is of the most salutary character; and that which it is destined to wield hereafter, is, we predict, of incalculable importance.

We are happy to perceive that in most of the considerable cities of our Union, institutions of a like character already exist, or are rapidly springing into being. Deeming them, as we do, of immeasurable value to the welfare and success of our young and rising generation of merchants, we ardently wish for them success; and when all throughout our land flourish like that whose twenty-first annual report we now proceed to lay before our readers, their onward career to usefulness and fame will be no less certain than brilliant and honorable.

THE TWENTY-FIRST ANNUAL REPORT OF THE BOARD OF DIRECTORS OF THE MERCANTILE LIBRARY ASSOCIATION.

In renewing our annual retrospect of the affairs of this institution, we cannot but congratulate you upon your happy experience of the fact that it is nobly accomplishing the objects for which it was established. The elevation and expansion of mind, by the acquisition of substantial and various knowledge, and the development of pure and generous feelings, by the cultivation of a refined and liberal taste for polished literature, are among the most exalted aims of life, and the most ennobling achievements of our nature. All observation teaches us to regard them as the chief means of that intellectual advancement which is the distinguished prerogative of our species, and which has rescued civilized man from the semi-brutal intransitiveness of the savage. And, we may add, that, even in the highest state of general civilization, superior knowledge and refinement, with the concomitant moral excellence which usually glows around them, still constitute pre-eminent individual distinction. As sources of personal, domestic, and social happiness, we have all felt them to be the sweetest and most prolific that the world offers for our enjoyment; and, unlike those of any other description, they are neither alloyed by regret nor transitory in their duration. It is the intrinsic and peculiar quality of mental treasures, that, once acquired, they are ever after deemed sacred. No mind is so debased that it would, were the barter practicable, with the revolting condition of future ignorance annexed to the bargain, exchange its humblest store of humanizing knowledge for all the massive heaps of golden ore that have been wrought from the mines. Such a deprivation would be shrunk from with horror, as a sacrilege upon the sanctuary of mind; and the pangs which follow the treachery of memory to her intellectual trust, acute as they often are, would be intolerable, but for the hope which, to the young, at least, is ever ready with the promise of reparation. If knowledge be thus precious in

possession, how highly privileged are we who have such unusual and abundant means for its acquisition!

The records of our Library, during the past year, afford the gratifying evidence that it has not been resorted to, by any great proportion of its readers, as a source of mere amusement, or of superficial information. They indicate a prouder elevation of purpose and pursuit. They demonstrate, more fully than at any prior period, that the members of this Association worthily estimate our revered repository of learning, in reference to its highest objects and advantages. They bear honorable testimony that you have come up to it as to a temple of invaluable and enduring wisdom, and that you have industriously, eagerly, and emulously explored it, for works of solid and extensive instruction. Science, history, philosophy, and subjects of robust and manly disquisition, all tending to endow the mind with priceless opulence, to invigorate and empower it, and to call forth its full capacity in walks of future greatness—have evidently acquired, in your respect and attention, their just supremacy over emasculating works of fiction and vapid import. For, without wishing to degrade publications of this class below the very humble rank which they already occupy in the graduated standard of literature, we may be permitted to aver, that, with a few remarkable exceptions, they are enervating in their influence and meretricious in their pretensions—occupying time, which, in early years especially, is of incalculable value, with artificial views of life and character rarely found in real existence, and serving only to excite and pamper idle reveries which, from the luxurious ease with which they can be indulged, not unfrequently disqualify the mind for a healthful and profitable application of its powers. This effect has been felt and acknowledged, even by men whose habits of affluent study had long been formed, and whose minds were enriched with the confluent wealth of ages. How banefully, then, must it operate upon young men who have scarcely tasted “the Pierian spring,” who are unfortified by previous habits of masculine inquiry, and to whom the vast and storied edifice of knowledge, with portals grand, free, and eloquent of reward, is a shadowy mystery! Indeed, it may be questioned whether even improvement in our vernacular tongue, which is commonly urged as an excuse for the mental dissipation of inordinate novel reading, be not deplorably marred and impeded by this mistaken means. Our language is nearly the youngest in the world; scarcely a few centuries old; still in a formative state, and requiring the authoritative guidance of the learned fathers of philology. Under the capricious culture of the comparatively illiterate writers of novels, it frequently runs wild from every authentic rule; becomes estranged, both in verbal meaning and in construction, from all its legitimate characteristics, and impregnated with so corrupt a license, that, were it not rendered too hybrid for extensive propagation, its every natural form and feature would become metamorphosed and disappear.

It is, therefore, creditable to the judgment and taste of the members of this Association, that they evince a decided preference for a higher order of reading, in which the purest and most elegant specimens of our language are consecrated to substantial uses; in which the processional grandeur of the historic narrative is made the medium of memorable facts; and in which the Anglican directness, precision and force of our native tongue, constantly enriched with judiciously affiliated additions from learned sources, are employed to convey the inestimable treasures of science and the arts. This laudable aspiration for great attainments, is also an evidence that, as republican students, we practically deny an aristocracy of learning in the republic of letters. It is an evidence that we will strive with the strongest in the career of intellect, and that to none will we concede superior knowledge as an exclusive privilege.

<i>The Library.</i> —At the period of the last report, the library contained							
volumes,	.	.	.	.	.	.	22,296
Added during the year by purchase,	.	.	.	.	.	.	1,059
do. do. do. donation,	.	.	.	.	.	.	77
							<hr/> 1,136
Making the present number,	.	.	.	.	.	.	23,432

For a particular knowledge of the books added for the year, the members are referred to the current catalogue, and especially to the works themselves. Care has been taken to supply works of permanent value, and at the same time of attractive character, serviceable to all readers, and worthy of careful preservation.

The exemption from duties which the government allows to books imported by literary institutions, has enabled the board to make this addition to the library at a comparatively moderate cost; and the facility and frequency of our present intercourse with Europe, afford opportunities for procuring the latest publications with a regularity and

despatch altogether unprecedented, and which are, therefore, too important to the attractiveness and prosperity of the institution to be pretermitted.

While, however, the board have paid due attention to the advantages under which they could procure foreign publications, they have purchased American works, and shown a preference to American editions of English ones, commensurate with the demand for them, and with their reputed interest and value. Vacancies in the library of works enumerated in the catalogue, occasioned by dilapidations or abstractions, have been, in all practicable instances, carefully filled, and this duty, together with a vigilant guard over every work in the valuable collection, we would recommend to be unremitted. Select works in the French and other foreign languages, for which there is an increasing demand among the members, have been added, as far as possible, to supply it; but they will doubtless be hereafter needed to a much greater extent.

Our acknowledgments are due to the following gentlemen for the donation of books, viz: Messrs. John Johnson, J. T. Rockwood, A. Bell, Wm. S. S. Russell, John Loines, Hon. A. Van Santvoord, R. N. Eagle, A. Brisbane, R. L. Porter, Josiah Quincy, Thomas Eddy, S. Miller, jr., D. Olmsted, Charles Anthon, L. L. D., G. N. Stebbins, Common Council of the city of New York, H. P. Marshall, Thomas Lownds, John H. Redfield, Wm. Bates, John S. Sumner, Samuel Sloane, Charles Serruys, Chargé d'Affaires from Belgium, D. Lardner, L. L. D., Henry Howe, Jacob P. Gerard, jr., Richard Hale, Wm. W. Snowden, Dr. H. H. Sherwood, Joseph Corning, J. D. Bemis, John L. O'Sullivan, Joseph N. Ely, Rt. Rev. G. W. Doane, Bishop of New Jersey, Major Delafield, U. S. A., N. Y. Society Library, and Dr. Kidd, Librarian of Radcliffe Library, Oxford, Eng., also to Mr. Joseph Steele, for a set of apparatus for teaching the science of mechanics, illustrating gravity, friction, motion, the mechanical power, etc.

In the course of the year, 1,603 volumes, chiefly standard works, have been rebound, in a durable manner, and placed upon the shelves. The number is greater than in any previous year, (excepting the year 1839,) and has, consequently, caused a more than usual outlay. Of the present catalogue, 400 copies remain on hand unbound, and 50 copies bound.

The number of members announced in the last annual report, was . . .	3,586
Added during the year,	627
Deduct withdrawals,	345
Clear addition of members,	282

Making the whole number of members on the 1st of January, 1842,	3,868
Of these there are members paying annually at the rate of \$2.00 . . .	3,370
Do. do. do. do. 5.00 . . .	58
Stockholders of Clinton Hall Association,	292
Honorary members,	148
	3,868

In the early part of the past year, Mr. John G. Barker, our former librarian, resigned that situation, and Mr. Edward Cahoone, his assistant, was appointed by the board to fill the vacancy thus created. Mr. James H. Brady, the second assistant librarian, having been appointed a cadet in the United States service, resigned on the first of May last, and it became necessary for the board to fill the two assistant librarianships vacated. Mr. S. M. Richardson, and Mr. J. S. Ferry, were accordingly selected from among numerous applicants.

It will be recollected that in the month of January, 1838, the members, at their annual meeting, instructed the board of directors to appoint a committee of ten members to erect a tablet to the memory of JOHN W. STEBBINS, formerly president of the association. This work of art, now completed, is placed in the library, and it is regarded as one of the most beautiful pieces of sculpture that ever adorned a public institution. The board, therefore, beg to present their warmest thanks to the committee intrusted with this task, for the able and faithful manner in which they have discharged their duty.

Audubon's American Ornithology.—Among the works added to the library during the past year, that monument of perseverance, fortitude, and talent, AUDUBON'S BIRDS OF AMERICA, is of too great importance to be passed without particular and emphatic notice. The members and friends of this association, aided by a contribution of \$100 from the trustees of the Clinton Hall Association, having subscribed a sum sufficient to secure this magnificent prize, it is now in our reading-room, and it is the only copy of this transcendent work accessible to the public in this city! But may that zealous disciple and venerable apostle of nature, the immortal author, yet live to see his countrymen pay

a warmer degree of respect to his unimaginable labors! for, without this, not all their wealth could adequately reward them. Let us hope that American pride will be awakened in behalf of a work, the most original and valuable that our country has yet produced, peculiarly its own, and one which does it imperishable honor in the eyes of all enlightened nations, while its author yet lives to reap the first fruits of the tardy harvest.

The Reading Rooms.—Entirely renovated and greatly improved, since the last report, the reading rooms are now equal, in every respect, to the best in the country. The number of members who visit them, attest their usefulness, convenience, and comfort, and that they are held in increasing estimation. Arrangements have been made for the supply of French periodicals, of which it is manifest the Association has many readers. They now contain—

Foreign periodicals,	. . . . .	61
American,	. . . . .	44
Newspapers,	. . . . .	10

Whole number of publications 115

Hunt's Merchants' Magazine.—Among the periodicals that are procured for our reading rooms, there is none which the board considers so highly entitled to the favor of the members of this Association, and indeed to that of the mercantile community in general, as the "Merchants' Magazine," edited and published by Mr. Freeman Hunt of this city. It is constantly filled with able and elaborate articles of incalculable value to the merchants and statesmen of our country, and conveying information on all the branches of trade and commerce which can scarcely be obtained from any other single publication. It is conducted in a manner which demands for Mr. Hunt extraordinary commendation, and which cannot fail to ensure him an unusual degree of reputation.

Lectures.—The strong impetus which has been given to the practice of public lecturing in this city, by the prolific example of this Association—and it has the honor of being the first to introduce, in a serial form, a mode of popular instruction than which none, perhaps, has been so generally useful and approved—created too great a division of public curiosity, and probably presented too obvious considerations of local convenience, to warrant the expectation that our Institution would continue to be the sole object of attraction during the lecture season. The present board, therefore, deemed it expedient to reduce the number of lectures to one in each week; and they are happy to state that the alteration has been attended with such entire success as to induce them to recommend it for adoption in future. They, however, think it proper to add that the bright array of eminent talent which has distinguished the programme, would, of itself, account for the cordial favor with which it has been received.

The surplus of the lecture fund which remained in the hands of the treasurer at the date of the last report, amounting to \$630, has been permanently added, by a vote of the board of directors, to the general fund of the Association. The balance remaining from the course of 1839 and 1840, together with that accruing during the present season, will be handed to our successors for their disposal.

The Classes.—It is with regret the board announce that this branch of our Institution has not received that degree of patronage which it unquestionably merits, and which its liberal recompense to the members that might sustain it seems calculated to command. The fine opportunity it offers for the acquisition of the modern languages, by a facile and complete method of instruction, under highly accomplished and competent teachers, and at charges far below those which are elsewhere required for tuition in nowise superior, would seem to be irresistible. And the board entertain the hope that the members need only to be thus reminded of the rare advantages it offers, to regard it with emulous interest, and widely extend its capability of usefulness.

The French Class, under the care of Mons. Bekeart, consists of 34 pupils, who have expressed the utmost confidence in his ability.

The Spanish Class, under Don Carlos Rabadan, is composed of 19 pupils, who speak of his qualifications as a teacher in the highest terms of respect.

The Penmanship Class, under the skilful direction of Mr. A. H. Wheeler, and the class in book-keeping, under the tuition of Mr. C. C. Marsh, meet at the teacher's rooms, at hours most convenient to themselves. Of the ability of these gentlemen, as preceptors in their respective branches of a mercantile education, it is unnecessary for the board to speak, since the reputation of both is firmly established by extensive experience.

The Scholarships.—The two scholarships granted to this Association, in the year

1830, by that venerable seat of learning and revered mother of illustrious men, COLUMBIA COLLEGE, are now filled by Mr. John Sym, and Mr. Charles Reynolds.

The Gallery of Arts.—Although the board have had no means of making any additions to the gallery of arts during the year that has just expired, they would, nevertheless, warmly commend it to the solicitude of their successors, who may possibly feel equal concern for its improvement under more favorable auspices. As an embellishment of our institution, independently of its intrinsic importance as a distinctive object, it is worthy of sedulous attention; and, in proportion as it is estimated by our own members, it is likely to be enriched by the donations of artists and patrons of the fine arts.

The Museum and Cabinet.—Donations of interest and value continue to be contributed to this collection, and it will doubtless steadily advance to an enviable magnitude and variety. The members of the association may do much toward its improvement, by commending it to the consideration of their mercantile and maritime friends, who, in their visits to distant countries, may have many opportunities of culling curiosities in antiquity and natural history, wherewith to enhance it. The board would recommend to the consideration of their successors, that a suitable case be prepared for geological specimens and fossils, as there is not at present any room in the cases now in use, that can be taken for that important department.

The cabinet contains 350 specimens in mineralogy, and 450 specimens in conchology, with fossils and other objects in natural history.

The minerals are arranged after the national system of Mohs, as improved by Dana, in his mineralogy. The Latin nomenclature of Dana is also followed.

The shells are arranged after the system proposed by Lamarek in his History of Invertebrated Animals; his order is, however, reversed, for the purpose of bringing the arrangement nearer to that of Cuvier, commencing with shells whose animals possess a more complex organization, and descending gradually to those whose structure is either more simple or less understood.

For the judicious arrangement of the cabinet, the board beg leave to acknowledge their obligations to Mr. Charles M. Wheatley.

The board acknowledge donations from the following gentlemen: Messrs. Samuel Sloane, Thomas Eddy, Rev. Charles Fox, E. Elmendorf, jun., Charles M. Wheatley, W. H. Pease, R. N. Eagle, G. A. Brett, E. C. Bramhall, and Mr. Newberry.

Clinton Hall Association.—The board would be guilty of apathy bordering upon ingratitude, were they not to renew their acknowledgments to the Clinton Hall Association, for the prompt beneficence and cordial courtesy which have distinguished its past, and which are continued in its present relations with this association.

The Treasury.—The board have sincere pleasure in announcing, on the authority of the treasurer's report, herewith submitted, that the association is entirely free from debt. It has now no demands whatever against it, unless there be some trivial running accounts for periodicals and newspapers. It will be seen from the report of the treasurer, that our finances are in so improved and prosperous a condition that the board have been enabled greatly to extend the usefulness of the institution by disbursements for books, binding, and other improvements, which were last year suspended by the pressure of pecuniary liabilities. For the past year, ending Dec. 31, 1841—

The receipts were,	\$6,935 30
The expenditures,	6,356 57

Leaving a balance in the treasury, on that day, of 578 73

For the details of the receipts and expenditures, we refer you to the treasurer's report.

The Anniversary.—The 9th of November last, being the 21st anniversary of the existence of the Mercantile Library Association, it was appropriately, and for the first time, celebrated by the members. The occasion was honored by an eloquent, intellectual, and inspiring address from the Hon. William Inglis, in which he gave a succinct and luminous history of the rise and progress of the association, urged its objects, and expatiated upon the benignity of its influence. And the masterly oration was received with spontaneous expressions of applause. The audience was further gratified by the recitation of a poem, entitled "Truth," written for the occasion by Mr. William Cutter. It was a meritorious production, both in sentiment and composition, and was heard with manifest pleasure and approbation.

Conclusion.—In conclusion, the board cannot but express their full and delightful confidence, founded not a little upon the auspicious indications to which they introductorily adverted, that this association is energetically ascending to a lofty destiny. To what an

attitude of literary eminence it may eventually arrive, can be conjectured only from its inherently noble capacity and tendency, and from the gradations of its present advancement. It will not be forgotten, however, that as the character of a physical aggregate is composed of the qualities of its component parts, so will the true dignity and greatness of every association depend upon the intelligence and virtue of its individual members.

INDUSTRY AND COMMERCE.

The Rev. Dr. Channing, in his lecture before the Mercantile Library Company of Philadelphia, "On the tendency of the Age to Universality," thus speaks of commercial industry as indicative of that tendency:—"How numberless are the forms which industry takes! Into how many channels is human labor pouring itself! How widely spread is the passion for acquisition, not for simple means of subsistence, but for wealth! What enterprises agitate the community! What a rush into all the departments of trade! How next to universal the insanity of speculation! What new arts spring up! Industry pierces the forest, and startles with her axe the everlasting silence! Commerce is the commanding interest; and this has limits but by the habitable world! It no longer creeps along the shore, or lingers in accustomed tracks, but penetrates into every inlet; plunges into the heart of uncivilized lands, sends its steamships up unexplored rivers, girdles the earth with railroads, and thus breaks down the estrangement of nations. Commerce is a noble calling. It mediates between distant nations, and makes men's wants, not as formerly, stimulants to war, but bonds of peace. Universal intellectual activity is due, in no small degree, to commerce, which spreads the thoughts, inventions, and writings of great men over the earth, and gathers scientific and literary men everywhere into an intellectual republic. So it carries abroad the missionary, the Bible, the cross, and is giving universality to true religion."

IMPORTATION OF WHEAT INTO GREAT BRITAIN.

1. Since the year 1790 there have been only two years in which the imports of wheat have not exceeded the exports; these two years were 1792 and 1808. 2. The excess of imports of wheat above exports has been, in the ten years ending 1800, 4,266,963 qrs.; in the ten years ending 1810, 5,996,352 qrs.; in the nine years ending 1820, 5,481,994 qrs.; in the ten years ending 1830, 9,413,459 qrs.; in the ten years ending 1840, 14,953,419 qrs. 3. During the peninsular war the importation was never interrupted; there was no one year in which there was not more or less of wheat imported. In 1800, 1801, 1805, and 1810, there were imported 1,264,520 qrs., 1,424,765 qrs., 920,834 qrs., and 1,567,126 qrs., respectively. 4. The total amount of wheat entered for home consumption, from 1815 to 1828 (both inclusive) has been 5,452,190 qrs., giving an annual average of 389,442 qrs. The total amount of wheat entered for home consumption, from 1829 to 1840, both inclusive, (i. e., under the operation of the present corn law,) is 12,303,005 qrs., giving an annual average of 1,025,250 qrs.

THE BOOK TRADE.

According to Professor Park, the total number of the different books printed, down to the present date, is estimated at 1,000,000 volumes in the German language, 800,000 in French, 600,000 in English (including 25,000 American,) and 600,000 in all other languages; making a total of 3,000,000 different volumes, or say 2,000,000 different works. Allowing only 1,200 copies of each work to have been printed, and supposing all the volumes to be of an average size, they would form a solid pile, larger than the largest Egyptian pyramid, although it is 500 feet high and 690 feet square at the base, covering 11 acres of ground. The annual number of new publications in Germany is said to be 7,000; in France it is probably 5,000; in Great Britain 3,000; and in the United States about 500 works or 700 volumes, of which about three fifths are original American productions.

DECREASE OF THE PRECIOUS METALS.

It is well known that pure metal cannot be obtained, except from the purest ores, without the use of quicksilver; consequently, the quantity of the precious metals is dependent upon the supply of quicksilver, and the price at which it is held. The only mines of quicksilver in the world that are worked to any extent, are those in Spain and Germany. Those in Spain have been, till within the last eight years, worked by the government, and the price of quicksilver was kept at about 40 dollars per quintal. Since then, they have been in the possession of Mr. Rothschild, and the price of the quicksilver has been raised to 120 dollars per quintal, which is treble its former price. The proprietor of the mines in Germany, probably through the influence of Mr. Rothschild, simultaneously raised the price of the article there. The effect of these measures has, it is estimated, reduced the supply of the precious metals in Europe during the last eight years, no less than twenty millions sterling. It is stated in the Bankers' Circular that the yearly produce of silver alone from the mines in America, formerly Spanish, while quicksilver was supplied at a cheap rate by the Spanish government, was sixty-three millions of hard dollars. But at present, thousands of tons of silver ore dug out of the mines of Mexico are thrown aside, because they contain too little silver to admit of profit when working them with quicksilver at its present high price. At its former price, every pound of this ore would have been worked to bring forth the silver contained in it. The exports of quicksilver from Liverpool to Mexico, Peru, &c., in 1837, and three following years, were as follows:

	1837.	1838.	1839.	1840.
Bottles,.....	14,800	14,573	10,811	11,093

If the supply of the two latter years were increased thirty per cent it would be brought to the level of the two former years; and if the price were reduced to the old rate of 40 dollars per quintal, it would be of vast importance to the commercial world. At the present price, Rothschild is said to make a clear profit by working the mines, of £80,000 per annum.

COMPARATIVE RATE OF INTEREST IN ENGLAND.

The rate of interest in England generally was first regulated in 1545 by act of parliament, in the reign of Henry VIII., which fixed it at 10 per cent; before that period the rates had usually been much higher. In 1552 an act was passed prohibiting the taking of any interest whatever for money loaned, but in 1571 this was repealed, and the former act of 1545 revived. In 1625, in the reign of James I., the rate of interest was reduced to 8 per cent. In 1651, the "Rump Parliament" reduced it to 6 per cent, which was confirmed after the restoration. In 1714, during the reign of Anne, the legal rate of interest was fixed at 5 per cent. The current rates of interest paid in Great Britain at different periods previous to 1714, were as follows:—

On £100.	Per ct. per an.	On £100.	Per ct. per an.
In 1255,	£50 00s. 0d.	In 1574 to 1604, about	9 16s. 0d.
1265, 2d. a week for \$1, or 43	06 8	1625, reduced to.....	8 00 0
1270 to 1307,.....	45 00 0	1645 to 1660,.....	6 00 0
1422 to 1470,.....	15 00 0	1660 to 1690,.....	7 06 6
1545, restricted to.....	10 00 0	1690 to 1697,.....	8 00 0
1553 to 1558,.....	12 00 0	1697 to 1706,.....	6 00 0
1571, restricted to.....	10 00 0	1714, reduced to.....	5 00 0

The Bank of England was established in 1694, when the legal rate of interest was 8 per cent, and the whole capital of the bank, £1,200,000, was loaned to the government at that rate. Since the year 1714, the bank has only been authorized to charge 5 per cent interest, the legal rate, until an act of parliament was passed, within the last few years, making an alteration in the then existing laws.

ESPY'S THEORY OF STORMS.

At a lecture in Philadelphia on Wednesday, the 22d of Dec., 1841, Mr. Espy stated that although it was then clear and nearly calm, and had been so all day, a storm of some violence had been in existence to the westward all that day, probably not more than sever or eight hundred miles off; and that if the wind sprung up to the eastward next morning, then the storm would reach Philadelphia within thirty-six hours. The phenomena occurred as had been predicted. The method of calculating storms of a similar character can be found in "Espy's Philosophy of Storms," page 289. This gentleman, we are glad to learn, is about proceeding to Washington, to solicit the aid of congress in promoting those inquiries for which the means of a single unaided individual would not suffice. Could he obtain the situation of meteorologist in one of the departments at Washington, or receive in any shape the patronage of the general government, his theory could be thoroughly tested in all points, and valuable results obtained, if not for the confirmation of his views, then for the establishment of sound and universal principles on a subject of such vast importance and primary interest to mankind.

SALT TRADE OF NEW YORK.

The New York Canal Board have determined to allow a liberal drawback of duties and tolls upon all salt manufactured at the state springs, and sent out of the state. It also appears by an official letter addressed to Mr. Farnham, canal collector, that the canal board of this state have been met in a spirit of corresponding liberality by the board of public works of Ohio—that body having authorized a drawback of twenty per cent on tolls charged for salt carried upon the Ohio canal, from Cleveland to Portsmouth, and which shall be carried from the latter place to other points on the Ohio river. The aggregate drawbacks allowed by this state and Ohio will not fall far short of 75 cents on every barrel of Onondaga salt delivered on the Ohio below Portsmouth. A bounty to such an extent, by cheapening the article in a corresponding degree, cannot fail to extend immensely the consumption of New York salt in the valley of the Mississippi.

It appears by the report of the inspector of salt, that the quantity inspected during the year 1840, was—at Salina, 1,107,825 bushels; Syracuse, 524,461 do.; Liverpool, 802,954 do.; Geddes, 187,064 do.; making an aggregate of 2,622,336 bushels.

ORIGIN OF THE WORD "SCHOONER."

Cotton Tufts says—"Being at Gloucester, Sept. 8, 1790, I was informed (and committed the same to writing) that the kind of vessel called schooners, derived their name from this circumstance, viz:—Mr. Andrew Robinson of that place having constructed a vessel which he masted and rigged in the same manner as schooners are at this day, on her going off the stocks into the water, a bystander cried out, 'Oh, how she scoons!' Robinson instantly replied, 'A schooner let her be.' From which time vessels thus masted and rigged have gone by the name of schooners, before which vessels of this description were not known in Europe or America. This account was confirmed to me by a great number of persons in Gloucester. I made particular inquiry of an aged sea captain, who informed me that he had not, in any of his voyages to Europe or in America, seen any of those vessels prior to Robinson's construction."—*Hist. Collections, &c.*

MERCANTILE LIBRARY ASSOCIATION OF BALTIMORE.

We have received a copy of the second annual report of the board of directors of the Mercantile Library Association of Baltimore. It furnishes gratifying evidence of the onward progress of that noble institution. We hope to find room for it in our next number.

STATISTICS OF POPULATION.

POPULATION OF THE UNITED STATES,

ACCORDING TO THE SIX ENUMERATIONS; FROM THE OFFICIAL REVISION.

States.	1790.	1800.	1810.	1820.	1830.	1840.
Maine,.....	96,540	151,719	228,705	298,335	399,955	501,793
New Hampshire,.....	141,899	183,762	214,360	244,161	269,328	284,574
Vermont,.....	85,416	154,465	217,713	235,764	280,652	291,948
Massachusetts,.....	378,717	423,245	472,040	523,287	610,408	737,699
Rhode Island,.....	69,110	69,122	77,031	83,059	97,199	108,830
Connecticut,.....	238,141	251,002	262,042	275,202	297,665	309,978
New York,.....	340,120	586,756	959,949	1,372,812	1,918,608	2,428,921
New Jersey,.....	184,139	211,949	249,555	277,575	320,823	373,306
Pennsylvania,.....	434,373	602,365	810,091	1,049,458	1,348,233	1,724,033
Delaware,.....	59,098	64,273	72,674	72,749	76,748	78,085
Maryland,.....	319,728	341,548	380,546	407,350	447,040	469,232
Virginia,.....	748,308	880,200	974,622	1,065,379	1,211,405	1,239,797
North Carolina,.....	393,751	478,103	555,500	638,829	737,987	753,419
South Carolina,.....	249,073	345,591	415,115	502,741	581,185	594,398
Georgia,.....	82,548	162,101	252,433	340,987	516,823	691,392
Alabama,.....			20,845	127,901	309,527	590,756
Mississippi,.....		8,850	40,352	75,448	136,621	375,651
Louisiana,.....			76,556	153,407	215,739	352,411
Arkansas,.....				14,273	30,388	97,574
Tennessee,.....	35,791	105,602	261,727	422,813	681,904	829,210
Kentucky,.....	73,077	220,955	406,511	564,317	687,917	779,828
Ohio,.....		45,365	230,760	581,434	937,903	1,519,467
Michigan,.....			4,762	8,896	31,639	212,267
Indiana,.....		4,875	24,520	147,178	343,031	685,866
Illinois,.....			12,282	55,211	157,455	476,183
Missouri,.....			20,845	66,586	140,445	383,702
District of Columbia,...		14,093	24,023	33,039	39,834	43,712
Florida,.....					34,730	54,477
Wisconsin,.....						30,945
Iowa,.....						43,112
TOTAL,.....	3,929,827	5,305,925	7,239,814	9,638,131	12,866,920	17,062,566

CENSUS OF THE UNITED STATES, FOR 1840.

We have embodied in the succeeding pages an epitome of the whole population of the states and territories of the United States, exhibiting the general aggregate amount of each description of persons, as compiled from the official returns of the marshals of the several states and territories, as received at the Department of State under the law for taking the sixth decennial census.

1. Number of free white males, of different ages, in each state and territory.
2. Number of free white females, of different ages, in each state and territory.
3. Number of free colored males and females in each state and territory.
4. Number of colored male and female slaves in each state and territory.
5. Number of persons in each state, employed in mining, agriculture, commerce, navigation of the ocean, navigation of canals, lakes and rivers, learned professions, and engineers in each state and territory.
6. Number of pensioners, for revolutionary or military services, in each state, &c.
7. Number of deaf and dumb, blind and insane persons, white and colored, in each state and territory.
8. Number of universities or colleges, students, academies and grammar schools, scholars, of scholars at public charge, and number of white persons, over twenty years of age, who cannot read and write.

1.—Number of Free White Males, of Different Ages, in each State and Territory of the United States, in 1840.

STATES AND TERRITORIES.	FREE WHITE MALES.											TOTAL.
	Under 5.	5 and under 10.	10 and under 15.	15 and under 20.	20 and under 30.	30 and under 40.	40 and under 50.	50 and under 60.	60 and under 70.	70 and under 80.	80 and under 90.	
Maine,.....	40,532	35,671	31,691	27,740	42,866	29,864	19,948	12,551	7,408	4,152	1,041	252,989
New Hampshire,...	18,435	17,300	16,929	15,663	22,170	16,781	12,915	8,690	5,485	3,447	1,084	139,004
Massachusetts,...	47,313	40,296	37,971	37,069	76,285	52,283	30,161	19,270	11,432	6,473	1,914	360,679
Rhode Island,...	7,121	5,947	5,969	5,659	9,878	6,798	4,452	2,799	1,570	862	287	51,362
Connecticut,.....	19,021	17,420	17,270	16,718	26,097	19,056	13,355	9,121	5,727	3,381	1,034	148,300
Vermont,.....	21,786	19,069	17,551	16,999	23,006	17,596	12,817	7,982	5,454	3,137	884	146,378
New York,.....	187,730	158,107	139,752	130,094	230,981	158,194	97,542	54,972	30,869	14,694	3,984	1,207,357
New Jersey,.....	22,827	23,809	21,951	19,308	31,052	21,553	13,949	8,536	4,887	2,459	660	177,055
Pennsylvania,....	149,480	117,351	101,522	89,825	152,624	99,421	64,366	37,933	20,268	9,224	2,453	844,770
Delaware,.....	4,939	3,957	3,581	3,104	5,722	3,549	2,117	1,270	682	268	61	29,259
Maryland,.....	26,921	20,573	18,351	16,218	30,028	20,732	12,626	7,258	3,899	1,533	417	158,636
Virginia,.....	69,308	53,485	45,822	38,263	63,465	41,141	27,465	16,670	9,673	4,458	1,241	371,923
North Carolina,...	46,413	37,011	31,473	24,819	38,756	24,254	16,799	10,432	6,365	2,830	741	240,047
South Carolina,...	24,828	19,360	16,621	13,719	22,489	13,774	9,132	5,615	3,059	1,418	409	130,496
Georgia,.....	43,759	33,899	27,136	20,897	34,696	22,196	13,886	7,623	4,240	1,641	455	210,531
Alabama,.....	36,611	28,215	22,819	16,222	31,455	19,340	11,783	6,024	2,886	997	273	176,692
Mississippi,.....	19,542	14,164	11,475	8,662	20,084	11,995	6,001	3,289	1,430	466	130	97,956
Louisiana,.....	13,835	10,736	7,848	7,218	20,795	16,304	7,940	3,309	1,206	410	102	89,747
Tennessee,.....	67,182	53,821	44,489	34,218	51,112	31,323	19,369	12,755	7,140	3,039	855	325,434
Kentucky,.....	59,290	46,242	39,190	32,611	53,265	32,206	19,958	11,809	6,639	3,092	860	305,323
Ohio,.....	144,582	115,832	96,697	81,431	138,755	85,944	54,992	30,298	18,182	6,778	1,617	775,360
Indiana,.....	70,468	57,457	46,129	36,599	60,002	37,565	21,678	13,789	6,195	2,258	551	352,773
Illinois,.....	48,363	37,278	31,062	24,876	52,580	31,428	15,809	8,755	3,660	1,119	257	255,235
Missouri,.....	34,597	26,054	21,922	16,784	33,772	20,568	11,384	5,620	2,439	814	183	173,470
Arkansas,.....	8,607	6,331	5,077	3,863	8,532	5,129	2,751	1,194	523	162	35	42,211
Michigan,.....	19,484	16,054	12,839	10,887	22,759	16,025	8,276	4,442	1,903	623	88	113,395
Florida,.....	2,455	1,947	1,520	1,305	4,388	2,801	1,193	530	220	73	20	16,456
Wisconsin,.....	2,627	1,793	1,303	1,344	6,328	3,348	1,191	554	201	55	10	18,757
Iowa,.....	4,380	3,138	2,475	2,179	6,207	3,310	1,512	698	272	73	12	24,256
D. of Columbia,...	2,354	1,755	1,764	1,728	2,891	1,953	1,201	724	312	115	21	14,892
TOTAL,.....	1,270,790	1,024,072	879,499	756,022	1,322,440	866,431	536,568	314,505	174,226	80,051	21,679	7,249,266

2.—Number of Free White Females, of Different Ages, in each State and Territory of the United States, in 1840.

STATES AND TERRITORIES.	FREE WHITE FEMALES.											
	Under 5.	5 and under 10.	10 and under 15.	15 and under 20.	20 and under 30.	30 and under 40.	40 and under 50.	50 and under 60.	60 and under 70.	70 and under 80.	80 and under 90.	TOTAL.
Maine,.....	38,185	34,458	30,044	27,940	42,165	29,046	20,024	12,304	7,703	4,122	1,274	247,449
New Hampshire,.....	17,959	16,693	15,689	15,457	24,679	18,269	14,183	9,824	6,702	4,000	1,388	145,032
Massachusetts,.....	45,313	40,115	36,832	40,360	74,250	49,324	33,109	22,684	14,645	8,387	2,955	368,351
Rhode Island,.....	6,504	5,812	5,710	6,030	10,833	7,138	4,891	3,430	2,176	1,196	444	54,225
Connecticut,.....	18,253	16,889	15,964	16,478	27,120	20,110	14,863	10,792	7,220	4,274	1,436	153,556
Vermont,.....	20,379	18,877	16,677	15,744	24,225	18,163	12,807	8,612	5,423	2,875	951	144,840
New York,.....	180,769	154,525	134,977	137,414	227,137	143,882	90,163	53,496	30,190	14,281	4,152	1,171,533
New Jersey,.....	27,505	23,161	20,362	19,701	31,514	20,530	14,009	8,841	5,253	2,769	803	174,533
Pennsylvania,.....	141,786	115,370	97,972	96,692	153,803	92,864	60,838	37,965	21,007	9,783	2,725	831,345
Delaware,.....	4,751	3,859	3,404	3,337	5,707	3,469	2,173	1,341	837	320	92	29,302
Maryland,.....	25,680	19,978	17,560	18,349	31,021	19,343	12,477	7,859	4,376	1,801	534	159,081
Virginia,.....	65,286	52,264	43,996	42,475	65,797	40,082	26,928	16,865	9,986	4,468	1,256	403,697,445
North Carolina,.....	43,637	35,221	29,646	26,965	43,132	25,906	18,114	11,374	6,754	2,943	962	192,448,823
South Carolina,.....	23,639	18,741	15,822	14,691	22,392	13,471	9,145	5,551	3,168	1,443	430	74,212,858
Georgia,.....	40,579	32,080	25,993	22,395	31,705	19,603	12,300	6,795	3,679	1,485	443	79,251,161
Alabama,.....	33,917	26,804	21,786	17,911	25,574	15,152	9,184	4,647	2,407	847	205	145,849,493
Mississippi,.....	18,235	13,328	10,919	8,911	14,464	7,847	4,284	2,250	1,075	381	96	81,818
Louisiana,.....	13,718	10,395	7,760	7,947	13,602	7,907	4,099	1,967	891	323	81	68,710
Tennessee,.....	62,684	51,013	42,327	35,965	51,907	30,597	19,198	11,535	6,465	2,617	732	273,151,193
Kentucky,.....	55,419	44,022	37,298	33,207	47,970	28,608	18,050	10,907	6,029	2,525	735	137,232,984,930
Ohio,.....	137,725	110,949	91,294	84,872	137,730	75,799	48,588	28,037	14,636	5,592	1,345	222,726,762
Indiana,.....	66,397	53,805	42,890	36,904	55,176	32,708	19,967	10,759	5,035	1,780	436	599,325,925
Illinois,.....	44,775	34,913	28,496	24,078	38,823	22,676	12,712	6,514	2,941	866	184	217,019
Missouri,.....	32,600	24,321	19,679	16,952	26,330	14,889	8,580	4,259	2,019	634	131	315,041,818
Arkansas,.....	8,108	5,853	4,869	3,911	5,881	3,317	1,715	805	357	113	30	31,349,633
Michigan,.....	18,401	15,089	11,798	10,819	18,706	11,864	6,109	3,394	1,441	451	80	29,981,655
Florida,.....	2,241	1,761	1,448	1,322	2,220	1,219	704	354	156	49	10	21,148,771
Wisconsin,.....	2,528	1,692	1,289	1,200	2,713	1,423	612	360	128	37	7	11,992,668
Iowa,.....	4,082	2,962	2,188	2,064	3,789	1,865	979	494	187	51	6	18,668,668
D. of Columbia,.....	2,294	1,771	1,899	2,077	3,030	2,026	1,338	795	413	149	41	15,835,842
TOTAL,.....	1,203,349	986,921	836,588	792,168	1,253,395	779,097	502,143	304,810	173,299	80,562	23,964	3,231,639,842

3.—Number of Free Colored Persons, Male and Female, in each State and Territory of the United States, in 1840.

STATES AND TERRITORIES.	FREE COLORED MALES.					FREE COLORED FEMALES.				
	Under 10.	10 and under 24.	24 and under 36.	36 and under 55.	TOTAL.	Under 10.	10 and under 24.	24 and under 36.	36 and under 55.	TOTAL.
Maine,.....	149	231	135	137	720	147	195	128	109	635
New Hampshire,...	57	68	42	48	248	50	66	54	61	289
Massachusetts,....	908	1,119	1,444	871	4,654	899	1,058	868	771	4,014
Rhode Island,.....	355	388	319	242	1,413	318	489	425	360	1,825
Connecticut,.....	935	1,165	710	746	3,891	967	1,238	860	715	4,214
Vermont,.....	91	99	74	60	364	76	106	65	76	366
New York,.....	6,008	6,370	5,711	4,221	23,809	6,032	6,951	6,809	4,454	26,218
New Jersey,.....	3,019	3,429	1,978	1,639	10,780	2,834	3,106	2,079	1,485	10,264
Pennsylvania,....	6,245	6,192	5,182	3,697	22,752	6,264	7,426	6,071	3,806	25,102
Delaware,.....	2,740	2,679	1,392	1,163	8,626	2,618	2,457	1,415	1,127	8,293
Maryland,.....	9,460	7,727	4,772	4,670	29,173	9,134	8,626	6,686	5,423	32,847
Virginia,.....	7,958	7,165	3,898	3,135	20,094	7,899	7,616	4,871	3,556	26,024
North Carolina,...	3,962	3,593	1,665	1,255	11,227	3,704	3,475	2,043	1,454	11,505
South Carolina,...	1,403	1,105	677	405	3,864	1,392	1,272	858	545	7,412
Georgia,.....	427	375	232	195	1,374	375	381	229	192	1,379
Alabama,.....	301	296	170	152	1,030	271	313	188	124	1,009
Mississippi,.....	228	168	125	114	718	181	151	133	122	651
Louisiana,.....	4,015	3,207	2,014	1,581	11,526	4,163	3,679	2,971	2,164	13,976
Tennessee,.....	973	772	372	379	2,796	881	742	445	367	2,728
Kentucky,.....	1,048	786	534	754	3,761	936	800	536	680	3,556
Ohio,.....	2,560	2,688	1,719	1,175	8,740	2,630	2,784	1,640	1,053	8,602
Indiana,.....	1,258	1,119	620	497	3,731	1,112	1,100	592	413	3,434
Illinois,.....	548	568	377	265	1,876	536	570	311	201	1,722
Missouri,.....	193	195	266	154	883	152	159	152	133	691
Arkansas,.....	77	56	62	34	248	67	60	35	32	217
Michigan,.....	93	103	119	62	393	80	98	76	46	314
Florida,.....	108	125	87	49	398	108	123	78	75	419
Wisconsin,.....	16	32	28	19	101	21	27	20	12	84
Iowa,.....	20	31	22	14	93	14	39	8	16	79
Dist. of Columbia,...	1,168	948	562	525	3,453	1,208	1,455	1,027	813	4,908
TOTAL,.....	56,323	52,799	35,308	28,258	186,467	55,069	56,562	41,673	30,385	199,778

4.—Number of Colored Male and Female Slaves in each State and Territory of the United States, in 1840.

STATES AND TERRITORIES.	MALE SLAVES.						FEMALE SLAVES.							
	Under 10.	10 and under 24.	24 and under 36.	36 and under 55.	55 and und. 100.	\$ sp, dn 001	TOTAL.	Under 10.	10 and under 24.	24 and under 36.	36 and under 55.	55 and und. 100.	\$ sp, dn 001	TOTAL.
Maine,.....	1	1	7	137	157	3	303	1	2	7	168	1	1	371
N. Hampshire,.....	12	20	.....	.....	.....	.....	.....	8	4	.....	.....	.....	.....	29
Massachus'tts,.....	442	676	170	53	30	.....	1,371	375	551	194	76	37	1	1,234
Rhode Island,.....	14,996	15,440	7,725	5,218	2,522	58	45,959	14,551	14,383	7,537	4,732	2,297	36	43,536
Connecticut,.....	76,847	68,751	40,194	30,380	12,398	91	228,861	75,703	65,814	38,372	27,781	12,636	120	220,326
Vermont,.....	44,854	38,419	19,636	14,053	6,512	72	123,546	44,190	37,910	20,292	13,374	6,421	84	122,271
New York,.....	52,642	46,137	30,373	20,751	8,650	125	158,678	54,527	48,251	34,589	22,403	8,506	84	168,360
Pennsylvania,.....	48,933	43,630	24,953	16,319	5,374	126	139,335	48,445	44,348	27,557	16,265	4,922	72	141,609
Delaware,.....	43,767	41,293	25,812	12,802	3,626	69	127,360	43,663	40,818	26,491	12,023	3,130	47	126,172
Maryland,.....	31,736	31,564	22,008	10,120	2,537	38	98,003	31,972	32,358	21,670	9,019	2,162	27	97,208
Virginia,.....	22,703	23,572	24,717	12,699	2,769	69	86,529	23,158	24,804	22,373	9,441	2,114	33	81,923
N. Carolina,.....	34,115	30,883	15,068	8,665	2,717	29	91,477	33,705	30,356	15,635	9,021	2,832	33	91,582
S. Carolina,.....	33,531	31,627	15,095	9,054	2,657	40	91,004	32,713	30,818	15,058	9,645	2,998	22	91,254
Georgia,.....	.....	.....	1	1	.....	.....	2	.....	1	.....	.....	.....	.....	1
Alabama,.....	.....	.....	.....	.....	.....	.....	.....	.....	2	.....	.....	.....	.....	2
Louisiana,.....	53	63	30	15	6	1	168	53	59	20	24	7	.....	163
Mississippi,.....	10,873	10,718	4,269	2,329	536	17	28,742	10,479	10,926	4,887	2,558	644	4	29,498
Tennessee,.....	3,450	3,514	2,069	890	182	14	10,119	3,302	3,558	1,930	849	174	3	9,816
Kentucky,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Ohio,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Indiana,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Illinois,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Missouri,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Arkansas,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Michigan,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Florida,.....	4,044	4,070	2,907	1,496	512	9	13,038	3,992	4,120	2,673	1,446	440	8	12,679
Wisconsin,.....	1	3	.....	.....	.....	.....	4	2	1	1	2	1	.....	7
Iowa,.....	1	3	.....	.....	.....	.....	6	1	5	3	1	.....	.....	10
Dis. of Colum.	598	747	338	275	96	4	2,058	630	977	498	370	158	3	2,636
TOTAL,.....	422,599	391,131	235,373	145,264	51,288	753	1,246,408	421,470	390,075	239,787	139,201	49,692	580	1,240,805

GRAND TOTAL OF THE POPULATION OF THE STATES AND TERRITORIES OF THE UNITED STATES,
ACCORDING TO TABLES 1, 2, 3, AND 4.

Maine,.....	501,793	Mississippi,.....	375,651
New Hampshire,.....	284,574	Louisiana,.....	352,411
Massachusetts,.....	737,699	Tennessee,.....	829,210
Rhode Island,.....	108,830	Kentucky,.....	779,828
Connecticut,.....	309,978	Ohio,.....	1,519,467
Vermont,.....	291,948	Indiana,.....	685,866
New York,.....	2,428,921	Illinois,.....	476,183
New Jersey,.....	373,306	Missouri,.....	383,702
Pennsylvania,.....	1,724,033	Arkansas,.....	97,574
Delaware,.....	78,085	Michigan,.....	212,267
Maryland,.....	469,232	Florida,.....	54,477
Virginia,.....	1,239,797	Wisconsin,.....	30,945
North Carolina, ..	753,419	Iowa,.....	43,112
South Carolina,.....	594,398	District of Columbia,.....	43,712
Georgia,.....	691,392		
Alabama,.....	590,756	GRAND TOTAL OF THE U. S.....	*17,062,566

* Total number of persons on board of vessels of war in the United States naval service, June 1, 1840, 6,100; making the total aggregate of the population of the United States, 17,068,666.

5.—Number of Persons employed in Mining, Agriculture, Commerce, Manufactures and Trades, Navigation of the Ocean, Navigation of Canals, Lakes and Rivers, Learned Professions, and Engineers in each State and Territory of the U. S., in 1840.

STATES AND TERRITORIES.	Mining.	Agriculture.	Commerce.	Manufactures and Trades.	Navigat'n of the Ocean.	Navigat'n of Canals, Lakes, and Rivers.	Learned Professions and Engineers.
Maine,.....	36	101,630	2,921	21,879	10,091	539	1,889
New Hampshire,....	13	77,949	1,379	17,826	452	198	1,640
Massachusetts,.....	499	87,837	8,063	85,176	27,153	372	3,804
Rhode Island,.....	35	16,617	1,348	21,271	1,717	228	457
Connecticut,.....	151	56,955	2,743	27,932	2,700	431	1,697
Vermont,.....	77	73,150	1,303	13,174	41	146	1,563
New York,.....	1,898	455,954	28,468	173,193	5,511	10,167	14,111
New Jersey,.....	266	56,701	2,283	27,004	1,143	1,625	1,627
Pennsylvania,.....	4,603	207,533	15,338	105,883	1,815	3,951	6,706
Delaware,.....	5	16,015	467	4,060	401	235	199
Maryland,.....	313	69,851	3,249	21,325	721	1,519	1,647
Virginia,.....	1,995	318,771	6,361	54,147	582	2,952	3,866
North Carolina,.....	589	217,095	1,734	14,322	327	379	1,086
South Carolina,.....	51	198,363	1,958	10,325	381	348	1,481
Georgia,.....	574	209,383	2,428	7,984	262	352	1,250
Alabama,.....	96	177,439	2,212	7,195	256	758	1,514
Mississippi,.....	14	139,724	1,303	4,151	33	100	1,506
Louisiana,.....	.....	79,289	8,549	7,565	1,322	662	1,018
Tennessee,.....	103	227,739	2,217	17,815	55	302	2,042
Kentucky,.....	331	197,738	3,448	23,217	44	968	2,487
Ohio,.....	704	272,579	9,201	66,265	212	3,323	5,663
Indiana,.....	233	148,806	3,076	20,590	89	627	2,257
Illinois,.....	782	105,337	2,506	13,185	63	310	2,021
Missouri,.....	742	92,408	2,522	11,100	39	1,885	1,469
Arkansas,.....	41	26,355	215	1,173	3	39	301
Michigan,.....	40	56,521	728	6,890	24	166	904
Florida,.....	1	12,117	481	1,177	435	118	204
Wisconsin,.....	794	7,047	479	1,814	14	209	259
Iowa,.....	217	10,469	355	1,629	13	78	365
Dist. of Columbia,...	.....	384	240	2,278	126	80	203
TOTAL,.....	15,203	3,717,756	117,575	791,545	56,025	33,067	65,236

6.—Number of Pensioners, for Revolutionary and Military Services, in each State and Territory of the United States, in 1840.

Maine,.....	1,409	Virginia,.....	993	Illinois,.....	195
New Hampshire,....	1,408	North Carolina,.....	609	Missouri,.....	122
Massachusetts,.....	2,462	South Carolina,.....	318	Arkansas,.....	24
Rhode Island,.....	601	Georgia,.....	325	Michigan,.....	90
Connecticut,.....	1,666	Alabama,.....	192	Florida,.....	16
Vermont,.....	1,320	Mississippi,.....	63	Wisconsin,.....	9
New York,.....	4,089	Louisiana,.....	12	Iowa,.....	2
New Jersey,.....	472	Tennessee,.....	895	District of Columbia,	15
Pennsylvania,.....	1,251	Kentucky,.....	886		
Delaware,.....	4	Ohio,.....	875		
Maryland,.....	94	Indiana,.....	380		
				TOTAL,.....	20,797

7.—Number of Deaf and Dumb, Blind, and Insane (White and Colored) Persons, in each State and Territory in the United States, in 1840.

STATES AND TERRITORIES OF THE UNITED STATES.	DEAF AND DUMB, BLIND, AND INSANE WHITE PERSONS.						DEAF, DUMB, BLIND, AND INSANE COLORED PERSONS.			
	DEAF AND DUMB.			BLIND.	INSANE AND IDIOTS.		EAF, DUMB, AND BLIND.		INSANE AND IDIOTS.	
	Under 14.	14 and under 25.	25 and upwards.		At Public Charge.	At Private Charge.	Deaf and Dumb.	Blind.	At Private Charge.	At Public Charge.
Maine,.....	47	73	102	180	207	330	13	10	56	38
N. Hampshire,..	43	41	97	153	180	306	9	3	8	11
Massachusetts, ..	56	63	154	308	471	600	17	22	27	173
Rhode Island,...	15	25	34	63	117	86	3	1	8	5
Connecticut,....	60	141	108	143	114	384	8	13	20	24
Vermont,.....	27	19	89	101	144	254	2	2	9	4
New York,.....	269	362	408	875	683	1,463	68	91	138	56
New Jersey,.....	33	29	102	126	144	225	15	26	46	27
Pennsylvania,...	225	225	331	540	469	1,477	51	96	132	55
Delaware,.....	18	15	12	15	22	30	8	18	21	7
Maryland,.....	43	58	77	165	133	254	66	91	99	42
Virginia,.....	133	111	209	426	317	731	150	466	326	58
North Carolina,	82	80	118	223	152	428	74	167	192	29
South Carolina,	40	41	59	133	91	285	78	156	121	16
Georgia,.....	78	62	53	136	51	243	64	151	108	26
Alabama,.....	72	53	48	113	39	193	53	96	100	25
Mississippi,.....	25	16	23	43	14	102	28	69	66	16
Louisiana,.....	14	17	11	37	6	49	17	36	38	7
Tennessee,.....	102	93	96	255	103	596	67	99	124	28
Kentucky,.....	120	128	152	236	305	490	77	141	132	48
Ohio,.....	167	198	194	372	363	832	33	33	103	62
Indiana,.....	112	91	94	135	110	377	15	19	47	28
Illinois,.....	54	48	53	86	36	177	24	10	65	14
Missouri,.....	48	32	46	82	42	160	27	42	50	18
Arkansas,.....	18	11	11	26	9	36	2	8	13	8
Michigan,.....	7	9	15	25	2	37	2	4	21	5
Florida,.....	6	4	4	9	1	9	2	10	12	.....
Wisconsin,.....	1	4	.....	9	1	7	.....	.....	3	.....
Iowa,.....	3	2	5	3	2	5	4	3	4	.....
D. of Columbia,	1	5	2	6	1	13	4	9	4	3
TOTAL,.....	1,919	2,056	2,707	5,024	4,329	10,179	977	1,892	2,093	833

COMMERCIAL REGULATIONS.

RUSSIAN PORTS—ST. PETERSBURG, &c.

INFORMATION FOR SHIPMASTERS.

1. Ships arriving must stop before reaching the outer Guard-ship, at which the ship's papers have to be produced, and the bills of lading presented *in duplo*. The proper officer signs the ship's papers, and seals up the bills of lading in a cover, returning both to the master. The hatchways are at the same time sealed up, and the ship receives a pilot from the Guard-ship, after which she proceeds onwards to the inward Guard-ship, stationed before the harbor.

2. Before entering the harbor, the master, with all his papers, has to appear on board of the inward Guard-ship, and in the Harbour-Master's Office, at the mole head, leaving with the latter the cover containing the bills of lading. After this, the ship is searched for the first time.

3. All letters for parties on shore must be delivered up to the Harbor-master on arrival. Russian bank notes found on board when the vessel is searched, are seized without redemption. Bills of health obtained at Elsinore must be produced.

4. Within 24 hours after arrival, the master has to appear at the Cronstadt Custom-house, and within 48 hours to make his declaration, which is taken down in writing, and signed by him. After signing, he is allowed 24 hours more for final correction of errors and omissions; at the expiration of these 24 hours, the second searching of the ship takes place, and errors may still be corrected before the officers have set about their duty.

5. In the declaration, the master must give an account of his crew, by name, and a note of the names and professions of his passengers, their luggage and goods, each passenger being bound to furnish a note of the contents of every parcel belonging to him, without which particulars the declaration is not received at the Custom-house. He must further reproduce his ship's pass, bill of health and register, a list of his ship's stores and provisions, and declare his cargo in conformity with the contents of his bills of lading.

6. Goods brought to order, if contraband, and the owner on shore not to be found, are considered as belonging to the master, who is liable for them accordingly.

7. Masters of ships, and their crews, as well as passengers, may bring goods of their own for sale without bills of lading, and dispose of them on shore after making entry and paying duty.

8. Under the denomination of "ship's provisions," all ships arriving from beyond the Sound are allowed to bring duty free, for every man on board, including the master, 2 ankers spirits, 1 anker wine, 3 ankers malt liquor, 10 lb. coffee, 1½ lb. tea, and 1 pood of sugar, Russian weight; any excess, if on board, must be entered for re-exportation. Ships coming from within the Sound are only allowed half the specified quantities.

9. The Custom-house takes charge of the ship's provisions, leaving a certain quantity only on board, and giving out more by degrees, as wanted.

10. It is necessary for every master, with an inward cargo, to make a protest on his arrival, and to remark this in his declaration. The protest has to be noted within 24 hours, to be extended and sworn to within seven days after arrival.

11. To prevent the Custom-house officers from boarding ships unnecessarily, it is desired that for the first search the flag be hoisted on the mainmast, and for the second or final search, on the foremast.

12. In the harbor a ship can neither be moved nor moored without leave obtained at the Molehead, and never without the attendance of a pilot.

13. From Cronstadt no ship can proceed up to St. Petersburg without leave, and a pass obtained from the Custom-house, nor without having the hatchways sealed up first.

14. In all cases of sea damage of the goods, surveys must be held, and immediate notice thereof given to the consul or vice consul of the nation to which the vessel belongs, who will then appoint a person to attend the survey in behalf of the consignees of the goods.

15. For obtaining ballast prams, the master has to apply to the Captain of the inward Guard-ship.

16. The proper Yerliks or permits to take on board fresh provisions are issued by the Custom-house, and have to be applied for.

17. No goods from St. Petersburg can be taken on board from shore or craft, without the proper permits or Yerliks accompanying them, as issued by the Custom-house at St. Petersburg.

18. No ships arriving from or going to sea, are allowed to anchor in the roads between the Man-of-war's Corner, the East end of the Cronstadt Island, and the West corner of the Cronslot fort, unless obliged to do so by necessity.

19. Non-conformance to these rules incurs fines and penalties. Consuls' clerks are in constant attendance at the mole head to give advice to shipmasters, besides providing them with a printed copy of the detailed Regulations of the Port to be attended to.

BILLS OF LADING FOR THE RUSSIAN TRADE.

1. The Custom-house regulations in Russia require the production of regular Bills of Lading in duplo relative to all goods a ship brings, excepting only the ship's provisions, passengers' effects, and goods belonging to the ship-master himself, which he may declare and enter for sale without having presented Bills of Lading.

2. The particulars which Bills of Lading are required to set forth in order to be deemed regular documents, are:—(1) The port of shipment and the shipper, with the name of the ship and her master, and where bound; (2) The consignee or receiver of the goods, or in lieu thereof "to order," at the port of destination; (3) A designation of the goods by the marks and numbers, and the number of packages, parcels, pieces, or casks, as invoiced, with the denomination of kind and quality, so as to identify the contents; (4) The aggregate of the foreign weight or measure or number of pieces of every parcel of the same kind and quality of goods. The number of packages, parcels, or pieces should be written out, if possible, in words, and the denominations of kind and quality be stated conformably with the classification adopted in the Russian Tariff, which is particularly essential with reference to manufactures. The weight or measure per Invoice must be distinctly denoted, and the denominations clearly added to the ciphers.

3. In some cases the gross weight only, and in others the nett weight only, is required. The following list will afford a practical illustration of the aforesaid, namely—to tarable colonials and drugs give the mark and numbers and the number of boxes, chests, casks, bags, bales, baskets, or bundles of *raw Havana, Rio Janeiro, Pernambuco, East Indian, or West Indian Sugar*; Coffee; Rice; Cassia Lignea; Cinnamon; Ginger; Cocoa; Almonds; Tin in *bars*; Banca Tin; Tin plates; Shumac; Safflower; Shellac; Argol; Quercitron Bark; Gums Senegal, Arabic, Benjamin, Olibanum, Lac in granis and the like; *refined Borax*; *raw Borax*; Aloes; Sago; *cleaned Whalebone*; *uncleaned Whalebone*; Cream of Tartar, or Chrystal Tartari; Manganese; Galangal Root; *British Salamoniac*; *Egyptian Salamoniac*; Madders; Antimony *Crude*; *Yellow or Red Ochre*; Orchil; Pumice Stone; Raisins; Currants; Figs; Indigo, if in serons; Cochineal; Cudbear; *white Cotton Yarn*; *died Cotton Yarn*; Cotton Wool; Raw, Organizine, or Trammed Silk; Woollen Yarn; refined Camphire; Cardamoms; Mace; Nutmegs; Cloves; Pepper; Pimento; India Rubber, in bottles or shoes; Radix Sarsaparilla; Saffron; Tor.

6. To goods shipped in bulk, or by pieces, besides marks and numbers, if any, insert :—to raw Brimstone, tons, cwt., qrs., and lb. ; to Lead in pigs, Lead in sheets or rolls ; Logwood ; Red St. Martin's, Nicaragua, Lima and Sapan wood, the number of pigs, rolls or pieces, and the weight by tons, cwt., qrs., and lb. ; to Mahogany wood, the number of logs, and the aggregate weight in tons, cwt., qrs., and lb. ; to white refined, or Rock Liverpool Salt, the weight by tons, cwt., qrs. and lb. ; to coals, (duty free,) the number of chaldrons shipped.

7. To salted herrings, insert the number of barrels with the marks and numbers, weight not required, unless exceeding 9 poods gross per barrel, by which weight the duty is regulated.

8. To Wines and Spirits, besides the marks and numbers, insert :—to Rum, the number of puncheons, adding the contents by gallons ; to Port wine, Madeira, and Benecarlo, the number of pipes, half and quarter pipes, if in such—or of bottles, if in bottles ; to Porter, the number of hogsheads, if in such—or of bottles, if in such. If shipped in any other vessels than the legally determined standards of pipes, hogsheads, or bottles, then the measure by imperial gallons must be added.

9. To Lemons and Oranges, besides the marks and numbers, the number of boxes of each kind is required ; the duty is levied on whatever quantity is found to be sound on delivery.

10. To Skins and Furs, Woollen, Cotton, Linen and Silk manufactures, paying duty by the nett weight, inclusive of any inside boards and thin paper wrappers, that cannot be easily separated without injuring the stuff in handling the pieces, insert the outside marks and numbers, with the number of bales or cases ; specify the contents of each kind or quality by the term of the material of which it is manufactured ; for instance—Woollen, Cotton, Linen or Silk goods, denoting the mixture if composed of any two or more materials ; for instance—Woollen mixed with Cotton : Woollen mixed with Silk : and add the nett weight of each description of goods, separately, including the inside boards, and inside paper wrappers, if any ; further particulars as to color, transparency, or non-transparency, must be specified in the invoices, with the nett weight of each description, separately, as being required for making a correct entry. The variety of articles of this description being very great, no preciser rules to suit every case can here be given. In doubtful cases shippers will do well to apply to their St. Petersburg correspondents for special information as to the particulars to be given, so as to avoid difficulties in making entry. Of new articles, patterns should be sent along with the inquiry. It is also advisable and expedient to accompany a parcel of manufactures by the patterns thereof *in a separate packet*, directed to the consignee, and superscribed as containing *patterns*.

11. The Bill of Entry, given in at the Custom-house by the receiver, sets forth the contents of the Bill of Lading, with a reduction of the British or other foreign weight or measure into Russian weight and measure. This reduced Russian weight and measure is required to correspond with what is actually weighed or measured out after landing, within a scope of 8 per cent below or above what the entry shows ; if the difference turn out to be above 8 per cent either way, no damage appearing, the Bill of Lading and Entry are deemed irregular, and the consequence by law is payment of duty for any underweight, or confiscation of any overweight found. This regulation does not refer to waste by leakage and evaporation.

12. The receiver's or consignee's entry at the Custom-house must be made within 14 days after arrival of the ship at Cronstadt ; if made later, a fine is incurred, and such is also imposed for every other omission or irregularity, as above stated.

13. The remission of fines imposed cannot be obtained otherwise than by petitioning the Department, or Board of Foreign Trade, explaining the causes of the irregularity, and

adducing proofs that no fraud was intended. In cases where the circumstances are any ways favorable to the petitioner, the Department generally obtains leave from the Minister of Finance to remit the fine imposed, and always gives a speedy decision.

14. The shipmasters have to be provided with three sets of bills of lading of each parcel of goods, two sets having to be delivered at the outer Guard-ship in the roads, where they are sealed up in a cover and directed to the Custom-house at Cronstadt, and the third set is wanted by the master himself for encashing his freight money.

15. In the course of eight months (the term fixed for payment after arrival,) consignees are at liberty to abandon the goods to the Custom-house, in lieu of duties, if damaged, or not of sufficient value in the market to bear the duty due thereon. In such cases the Custom-house makes the most of the goods by public sale.

RATES OF TOLL CHARGEABLE ON THE PENNSYLVANIA CANALS AND RAILWAYS, FOR 1842.

The following are the rates of toll to be charged on the Pennsylvania State Canal and railroads, after January 25, 1842.

CANAL.				RAILWAY.				CANAL.				RAILWAY.			
Per Mile.				Per Mile.				Per Mile.				Per Mile.			
per 1000 lbs.				per 1000 lbs.				per 1000 lbs.				per 1000 lbs.			
cts.	m.	cts.	m.	cts.	m.	cts.	m.	cts.	m.	cts.	m.	cts.	m.	cts.	m.
Ashes, pot and pearl,...	0	5	0	8	Iron, roll. and ham. sh't,	0	7	0	8						
Bacon,.....	0	4	0	5	do. pig and scrap,....	0	4	0	6						
Bark, ground,.....	0	5	0	8	Lard,.....	0	3	0	6						
Beef, salted,.....	0	3	0	6	Leather,.....	1	0	1	5						
Boards and sawed tim.	0	4	0	5	Lead,.....	0	2	0	5						
Butter,.....	0	4	0	6	Liquors, foreign,.....	0	8	1	2						
Burr blocks,.....	0	3	0	8	Nails and Spikes,.....	0	8	1	0						
Coal, mineral,.....	0	2½	0	3	Oats,.....	0	5	0	7						
Coffee,.....	0	5	1	0	Oil, (except Castor,)..	0	5	1	0						
Corn, Indian,.....	0	5	0	7	Paints and Dyestuffs,...	1	0	1	5						
Cotton,.....	0	2	0	5	Pork,.....	0	3	0	5						
Drugs and Medicines,..	1	0	1	5	Queen's ware & China,	0	5	1	2						
Drygoods,.....	1	0	1	5	Rags,.....	0	5	1	0						
Earthenware,.....	0	4	0	6	Rosin and Pitch,.....	0	5	1	0						
Fish, salted,.....	0	3	0	6	Rye,.....	0	5	0	7						
Flour,*.....	0	4	0	7	Salt,.....	0	5	1	0						
Furs and Peltry, (ex- } cept deer & buffalo,)	0	8	1	5	Tallow,.....	0	3	0	6						
Glassware,.....	0	8	1	2	Tar,.....	0	5	1	0						
Groceries,.....	1	0	1	5	Tobacco, manufactu'd,	0	8	1	5						
Gypsum,.....	0	3	0	5	do. not,.....	0	3	0	6						
Hardware,.....	0	5	1	5	Wheat,.....	0	5	0	8						
Hemp,.....	0	3	0	6	Whiskey,.....	0	5	0	6						
Hides, raw,.....	0	8	1	2	Window Glass,.....	0	3	1	2						
Iron, castings and bl'm,	0	5	0	7	Wool,.....	0	5	0	8						

* *Resolved*, That the collector of Philadelphia be directed to allow upon the presentation of the proper certificate, a drawback of twenty cents per barrel, on each and every barrel of flour arriving at his office, which shall have been cleared at Pittsburgh, and passed on the state improvements thence to Philadelphia. The said drawback to be credited to the transporter of such flour, on subsequent tolls accruing at the office.

NEW RUSSIAN TARIFF.

The following is a table of the new tariff, which gives a statement of the new import duties to be imposed by the Russian government upon the various articles mentioned below, and which came into operation the 1st of January, 1842. We also annex the old tariff, for the sake of comparison :—

	Old Duty.		New Duty.			Old Duty.		New.	
	Rub.	Cop.	Rub.	Cop.		Rub.	Cop.	Rub.	C.
Coffee, per pood,*.....	6	12	6	15	Brazil, Nicaragua, San-				
Cotton wool,.....	0	25 7.8	0	25	ta Martha, Lima, Ja-				
Cotton yarn,.....	5	73 3.4	6	00	pan and Logwood, per				
Cochineal,.....	11	47 1.2	13	50	berko,.....	1	72 1.8	2	00
Indigo,.....	4	59	5	80	Fustic,.....	1	14 3.4	1	40
Quercitron Bark,.....	0	86	1	00	Lead, in pigs,.....	0	25 1.2	0	10
Tin, in blocks,.....	0	25 1.2	0	60	Cloth, half-cloth, Kerseymere, ladies'				
Olive Oil,.....	1	72 1.8	1	85	cloth, tricot, of black, dark blue,				
Rice,.....	0	45 2.10	0	60	dark green, white, and bluish white				
Salt,.....	0	40 1.6	0	40	color, also with small white spots,				
Sugar,.....	3	21 3.10	3	89	hitherto prohibited,.....per pound	3	50		

N. B.—The quarantine and additional duty will not be paid further, except on the old duties.

* A pood is equal to 36 pounds English.

STEAMBOAT, RAILROAD, AND CANAL STATISTICS.

PASSAGES OF THE CUNARD ROYAL MAIL STEAMERS.

It seems, by the Boston Transcript, that the royal mail steamers have, during the year, performed their trips agreeably to advertisements, without any interruption whatever, and consequently carried out the original plan of the line with the greatest success. The following table shows the time of arrival at Boston, and the length of the passage, (without deducting the time of detention at Halifax,) of each steamer, since the line commenced running, just a year and a half ago. It will be seen that they have made twenty-nine voyages, and the average time occupied in these passages is fourteen days and twenty-three hours.

Steamer.	Arrived.	Dys.	Hrs.	Steamer.	Arrived.	Dys.	Hrs.
Britannia,....	July 18, 1840, in	14	8	Acadia,.....	June 2, 1841, in	13	12
Acadia,.....	August 17, " in	12	12	Columbia,....	June 17, " in	12	02
Britannia,....	Sept. 17, " in	13	12	Britannia,....	July 3, " in	13	12
Caledonia,....	Oct. 2, " in	13	00	Caledonia,....	July 17, " in	13	01
Acadia,.....	Oct. 17, " in	12	12	Acadia,.....	August 2, " in	12	14
Britannia,....	Nov. 3, " in	13	12	Columbia,....	August 19, " in	14	18
Caledonia,....	Nov. 19, " in	14	22	Britannia,....	Sept. 2, " in	13	14
Acadia,.....	Dec. 21, " in	16	22	Caledonia,....	Sept. 18, " in	13	18
Columbia,....	Jan. 21, 1841, in	16	15	Acadia,.....	Oct. 5, " in	16	03
Britannia,....	Feb. 22, " in	17	12	Columbia,....	Oct. 21, " in	15	18
Caledonia,....	March 20, " in	15	20	Britannia,....	Nov. 7, " in	17	00
Acadia,.....	April 7, " in	18	12	Caledonia,....	Nov. 18, " in	14	06
Columbia,....	April 21, " in	15	00	Acadia,.....	Dec. 7, " in	18	02
Britannia,....	May 6, " in	15	10	Columbia,....	Dec. 21, " in	16	21
Caledonia,....	May 19, " in	14	12				

CLOSING OF THE ERIE CANAL, FROM 1824 TO 1841.

In 1824, it closed	December 4th.	In 1833, it closed	December 12th.
1825, " "	December 5th.	1834, " "	December 12th.
1826, " "	December 13th.	1835, " "	November 30th.
1827, " "	December 18th.	1836, " "	November 26th.
1828, " "	December 20th.	1837, " "	December 9th.
1829, " "	December 17th.	1838, " "	November 25th.
1830, " "	December 17th.	1839, " "	December 16th.
1831, " "	December 1st.	1840, " "	about Dec. 1st.
1832, " "	December 21st.	1841, " "	November 28th.

WEST INDIA STEAM PACKETS.

The new line of British mail steam packets between Great Britain, the West India Islands, South America, and the United States, is now in operation, as appears by the following :—

The British steamship *Forth*, Lieut. Fayrer, R.N., Com., arrived at Havana on the 12th Jan. from Southampton, via St. Thomas, in 25 days from the former, and 5 days from the latter port, and would leave again on the 16th for the Belize, Mississippi River, Tampico, and Vera Cruz.

The Barbadoes Gazette of the 6th Jan. announces the arrival of the *Solway* from Southampton, being one of four that left that port, for different points, on the same day as the *Forth*, the arrival of which at Havana we have already noticed.

The following is the arrangement from Havana to the North American ports :—

Havana and North American Stations, starting from Havana at 2 P. M. of the 7th, when the month has 30 days.

STARTING PORT OR PLACE.	Distance in Geo- graphical Miles.	Knots per Hour.	Time on Voyage.	Stoppages for Mails, etc.
			Hours.	Hours.
Havana to Nassau,.....	360	10	36	.....
Stop at Nassau,.....				8
Nassau to Savannah,.....	460	10	46	.....
Stop at Savannah,.....				5
Savannah to Charleston,.....	85	9	10	.....
Stop at Charleston,.....				6
Charleston to New York,.....	610	8½	72	.....
Stop at New York,.....				2
New York to Halifax,.....	520	8½	61	.....
Stop at Halifax,.....				96
Halifax to New York,.....	520	8½	61	.....
Stop at New York,.....				32
New York to Charleston,.....	610	8½	72	.....
Stop at Charleston,.....				6
Charleston to Savannah,.....	85	9	10	.....
Stop at Savannah,.....				5
Savannah to Nassau,.....	460	9	51	.....
Stop at Nassau,.....				6
Nassau to Havana,.....	360	9	38	.....
Stop at Havana,.....				75
TOTAL,.....	4,050	89	457	263

RAILROADS TERMINATING AT ATLANTIC PORTS.

The following statement, prepared by Edwin Williams, shows the number of continuous miles of railroad, now in operation in the United States, terminating at the different Atlantic ports :—

	Miles.		Miles.		Miles.		Miles.
New York,.....	12½	Boston,.....	720	Bridgeport,.....	73	Wilmington,.....	162
Piermont,.....	46	Providence,.....	41	Philadelphia,.....	369	Charleston,.....	312
Jersey City,.....	119	Stonington,.....	47	Baltimore,.....	300	Savannah,.....	137
Amboy,.....	61	Norwich,.....	58	Norfolk,.....	78		
Brooklyn,.....	40	New Haven,.....	35	Richm'd & Psg,.....	287		

It will be seen from the above how much remains to be done in New York, to place the city on an equality with other Atlantic cities, with regard to railroads. The New York and Erie railroads will, when completed, connect with a chain of railroads, most

of which are now in progress, through Ohio to Cincinnati, making a continuous line of nearly 900 miles, as follows:—

	<i>Miles.</i>
New York and Erie Railroad, Piermont to Dunkirk,.....	446
Dunkirk to Erie,.....	45
Erie to Cleveland,.....	90
Cleveland to Cincinnati, by several lines of railroad,.....	300
TOTAL, Hudson River to Cincinnati,.....	881

COMMERCIAL STATISTICS.

COMMERCIAL RESOURCES OF THE UNITED STATES.

**MINES—AGRICULTURE—COMMERCE—PRODUCTS OF THE FOREST—FISHERIES—MANUFACTURES—
VALUE OF MANUFACTURED GOODS, ETC.**

We have made arrangements for the tabular statements of the products of the United States, according to the census of 1840, which we shall publish in detail in future numbers of the *Merchants' Magazine*. The following summary from them, which gives the total results, and which will convey to readers generally a better view than the tables themselves, was compiled by the industrious editor of Hazard's United States Statistical Register.

MINES.

Iron —Cast—Number of furnaces,.....	804
Tons produced,.....	286,903
Bar—Number of bloomeries, forges, and rolling mills,.....	795
Tons produced,.....	197,233
Tons of fuel consumed,.....	1,528,110
Number of men employed, including mining operations,.....	30,497
Capital invested,.....	\$20,432,131
Lead —Number of smelting houses, counting each fire one,.....	120
Number of pounds produced,.....	31,239,453
Number of men employed,.....	1,017
Capital invested,.....	\$1,346,756
Gold —Number of smelting houses,.....	157
Value produced,.....	\$529,605
Number of men employed,.....	1,046
Capital invested,.....	\$234,325
Other Metals —Value produced,.....	\$370,614
Number of men employed,.....	728
Capital invested,.....	\$238,980
Coal —Anthracite—Tons raised, (28 bushels each,).....	863,489
Number of men employed,.....	3,043
Capital invested,.....	\$4,355,602
Bituminous—Number of bushels raised,.....	27,603,191
Men employed,.....	3,768
Capital invested,.....	\$1,868,862
Domestic Salt —Number of bushels produced,.....	6,179,174
Men employed,.....	2,365
Capital invested,.....	\$6,998,045
Granite, Marble, and other Stone —Value produced,.....	\$3,695,884
Number of men employed,.....	7,859
Capital invested,.....	\$2,540,159

AGRICULTURE.

Live Stock —Horses and Mules,.....	4,335,669
Neat Cattle,.....	14,971,586
Sheep,.....	19,311,374
Swine,.....	26,301,293
Poultry of all kinds—estimated value,.....	\$9,344,410

<i>Cereal Grains</i> —Number of bushels of Wheat,.....	84,823,272
“ “ Barley,.....	4,161,504
“ “ Oats,.....	123,071,341
“ “ Rye,.....	18,645,567
“ “ Buckwheat,.....	7,291,743
“ “ Indian Corn,.....	377,531,875
<i>Various Crops</i> —Number of pounds of Wool,.....	35,802,114
“ “ Hops,.....	1,238,502
“ “ Wax,.....	628,303½
Bushels of Potatoes,.....	108,298,060
Tons of Hay,.....	10,248,108½
“ Hemp and Flax,.....	95,251½
<i>Tobacco, Cotton, Sugar, &c.</i> —Pounds of Tobacco gathered,.....	219,163,319
“ Rice,.....	80,841,422
“ Cotton gathered,.....	790,479,275
“ Silk Cocoons,.....	61,552½
“ Sugar made,.....	155,100,809
Cords of Wood sold,.....	5,088,891
Value of the Produce of the Dairy,.....	\$33,787,008
“ “ Orchard,.....	\$7,256,904
Gallons of Wine made,.....	124,734
Value of home made or family goods,.....	\$29,023,380
<i>Horticulture</i> —Value of produce of Market Gardeners,.....	\$2,601,196
“ “ Nurseries and Florists,.....	\$593,534
Number of men employed,.....	8,553
Capital invested,.....	\$2,945,774

COMMERCE.

Number of commercial houses in foreign trade,.....	1,108
“ “ “ commission business,.....	2,881
Capital invested,.....	\$119,295,367
Retail dry goods, grocery, and other stores,.....	57,565
Capital invested,.....	\$250,301,799
Lumber yards and trade,.....	1,792
Capital invested,.....	\$9,848,307
Number of men employed,.....	35,963
Internal transportation—Number of men employed,.....	17,594
Butchers, packers, &c.—Number of men employed,.....	4,808
Capital invested,.....	\$11,526,950

FISHERIES.

Number of Quintals smoked or dried fish,.....	773,947
“ Barrels pickled fish,.....	472,359½
“ Gallons spermaceti oil,.....	4,764,708
“ “ whale and other fish oil,.....	7,536,778
Value of Whalebone and other Productions of Fisheries,.....	\$1,153,234
Number of men employed,.....	36,584
Capital invested,.....	\$16,429,620

PRODUCTS OF THE FOREST.

Value of Lumber produced,.....	\$12,943,507
Barrels of Tar, Pitch, Turpentine, Rosin,.....	619,106
Tons of Pot and Pearl Ashes,.....	15,935½
Skins and Furs—Value produced,.....	\$1,065,869
Ginseng, and all other Productions of the Forest—Value,.....	\$526,580
Number of men employed,.....	22,042

MANUFACTURES.

<i>Machinery</i> —Value of Machinery manufactured,.....	\$10,980,581
Number of men employed,.....	13,001
<i>Hardware, Cutlery, &c.</i> —Value of manufactured,.....	\$6,451,967
Number of men employed,.....	5,492
<i>Cannon and Small Arms</i> —Number of Cannon cast,.....	274
Small Arms made,.....	88,073
Men employed,.....	1,744
<i>Precious Metals</i> —Value manufactured,.....	\$4,734,960
Number of men employed,.....	1,556

<i>Various Metals</i> —Value manufactured,.....	\$9,779,442
Number of men employed,.....	6,677
<i>Granite, Marble, &c.</i> —Value manufactured,.....	\$2,442,950
Number of men employed,.....	3,734
<i>Bricks and Lime</i> —Value manufactured,.....	\$9,736,945
Number of men employed,.....	22,807
Capital invested in the preceding manufactures,.....	\$20,620,869
<i>Wool</i> —Number of fulling mills,.....	2,585
“ woollen manufactories,.....	1,420
Value of manufactured goods,.....	\$20,696,999
Number of persons employed,.....	21,342
Capital invested,.....	\$15,765,124
<i>Cotton</i> —Number of cotton manufactories,.....	1,240
“ spindles,.....	2,284,631
“ dyeing and printing establishments,.....	129
Value of manufactured articles,.....	\$46,350,453
Number of persons employed,.....	72,119
Capital invested,.....	\$51,102,359
<i>Silk</i> —Number of pounds reeled, thrown, or other silk made,.....	15,745,4
Value of the same,.....	\$119,814
Number of males employed,.....	246
“ females and children,.....	521
Capital invested,.....	\$274,374
<i>Flax</i> —Value of manufactures of flax,.....	\$322,205
Number of persons employed,.....	1,628
Capital invested,.....	\$208,087
<i>Mixed Manufactures</i> —Value of produce,.....	\$6,545,503
Number of persons employed,.....	15,905
Capital invested,.....	\$4,368,991
<i>Tobacco</i> —Value of manufactured articles,.....	\$5,819,568
Number of persons employed,.....	8,384
Capital invested,.....	\$3,437,191
<i>Hats, Caps, Bonnets, &c.</i> —Value of hats and caps manufactured,.....	\$8,701,342
“ straw bonnets manufactured,.....	\$1,476,505
Number of persons employed,.....	20,176
Capital invested,.....	\$4,485,300
<i>Leather, Tanneries, Saddleries, &c.</i> —Number of tanneries,.....	8,229
Sides of sole leather tanned,.....	3,463,611
“ upper do. do.	3,781,868
Number of men employed,.....	26,018
Capital invested,.....	\$15,650,929
All other manufactures of leather, { saddleries, &c.	17,136
Value of manufactured articles,.....	\$33,134,403
Capital invested,.....	\$12,881,262
<i>Soap and Candles</i> —Number of pounds of soap,.....	49,820,497
“ pounds of tallow candles,.....	17,904,507
“ pounds of spermaceti and wax candles,.....	2,936,951
“ men employed,.....	5,641
Capital invested,.....	\$2,757,273
<i>Distilled and Fermented Liquors</i> —Number of distilleries,.....	10,306
“ gallons produced,.....	41,402,627
“ breweries,.....	406
“ gallons produced,.....	23,267,730
“ men employed,.....	12,223
Capital invested,.....	\$9,147,368
<i>Powder Mills</i> —Number of powder mills,.....	137
Pounds of gunpowder,.....	8,977,348
Number of men employed,.....	496
Capital invested,.....	\$875,875
<i>Drugs, Medicines, Paints, and Dyes</i> —Value of medicinal drugs, paints, &c.	\$4,151,899
“ turp'ne and varnish produced,.....	\$660,827
Number of men employed,.....	1,848

<i>Drugs, Medicines, Paints, and Dyes</i> —Capital invested,.....	\$4,507,675
<i>Glass, Earthenware, &c.</i> —Number of glass houses,.....	81
Number of cutting establishments,.....	34
“ men employed,.....	3,236
Value of manufactured articles, includ'g look- ing glasses,.....	\$2,890,293
Capital invested,.....	\$2,084,100
Number of potteries,.....	659
Value of manufactured articles,.....	\$1,104,825
Number of men employed,.....	1,612
Capital invested,.....	\$551,431
<i>Sugar Refineries, Chocolate, &c.</i> —Number of sugar refineries,.....	43
Value of produce,.....	\$3,250,700
“ chocolate manufactured,.....	\$79,900
“ confectionary made,.....	\$1,143,965
Number of men employed,.....	1,355
Capital invested,.....	\$1,769,571
<i>Paper</i> —Number of paper manufactories,.....	426
Value of produce,.....	\$5,641,495
“ all other manufactures of paper, playing cards, &c.....	\$511,597
Number of men employed,.....	4,726
Capital invested,.....	\$4,745,239
<i>Printing and Binding</i> —Number of printing offices,.....	1,552
“ binderies,.....	447
“ daily newspapers,.....	138
“ weekly newspapers,.....	1,141
“ semi and tri-weekly newspapers,.....	125
“ periodicals,.....	227
Men employed,.....	11,523
Capital invested,.....	\$5,873,815
<i>Cordage</i> —Number of rope walks,.....	388
Value of produce,.....	\$4,078,306
Number of men employed,.....	4,464
Capital invested,.....	\$2,465,577
<i>Musical Instruments</i> —Value produced,.....	\$923,924
Number of men employed,.....	908
Capital invested,.....	\$734,370
<i>Carriages and Wagons</i> —Value produced,.....	\$10,897,887
Number of men employed,.....	21,994
Capital invested,.....	\$5,551,632
<i>Mills</i> —Number of flouring mills,.....	4,364
“ barrels of flour manufactured,.....	7,404,562
“ grist mills,.....	23,661
“ saw mills,.....	31,650
“ oil mills,.....	843
Value of manufactures,.....	\$76,545,246
Number of men employed,.....	60,788
Capital invested,.....	\$65,858,470
<i>Ships</i> —Value of ships and vessels built,.....	\$7,016,094
<i>Furniture</i> —Value of furniture made,.....	\$7,555,405
Number of men employed,.....	18,003
Capital invested,.....	\$6,989,971
<i>Houses</i> —Number of brick and stone houses built,.....	8,429
“ wooden houses built,.....	45,684
Men employed,.....	85,501
Value of constructing or building,.....	\$41,917,401
<i>All Other Manufactures Not Enumerated</i> —Value,.....	\$34,785,353
Capital invested,.....	\$25,019,726
Total capital invested in manufactures,.....	\$267,726,579

From the foregoing, we have formed the following table, showing, as far as practicable, the amount of capital invested in various branches of business, which, it appears, is \$716,089,256. The capital employed in agriculture is not given; neither is it in some other branches. At best it must be considered as incomplete, and probably inaccurate,

as this is a subject of inquiry, on which few persons feel disposed to furnish correct information. It is therefore, probably, only an approximation to the true amount of active capital employed.

In Iron business,.....	\$20,432,131	Hats, caps, and bonnets,.....	4,485,300
Lead "	1,346,756	Leather tanneries,.....	15,650,929
Gold "	234,325	" manufact'd and saddles,.....	12,881,262
Other metals,.....	238,980	Soap and candles,.....	2,757,273
Coal business—		Distilleries and breweries,.....	9,147,368
Anthracite,.....	\$4,355,602	Powder mills,.....	875,875
Bituminous,.....	1,868,862	Drugs, medic's, paints, and dyes,.....	4,507,675
	6,224,464	Glass,.....	2,084,100
Salt,.....	6,998,045	Earthenware, &c.....	551,431
Granite, Marble, and Stone,....	2,540,159	Sugar refineries and chocolate,.....	1,769,571
Nurseries,.....	2,945,774	Paper making,.....	4,745,239
Commer. and commis. houses,.....	119,295,367	Printing and binding,.....	5,873,815
Retail drygood and groc'y, &c.	250,301,799	Cordage,.....	2,465,577
Lumber yards and trade,.....	9,848,307	Making musical instruments,....	734,370
Butchers, packers, &c.....	11,526,950	" carriages and wagons,.....	5,551,632
Fisheries,.....	16,429,620	Mills,.....	65,858,470
Various manufactures,.....	20,620,869	Making furniture,.....	6,989,971
Woolen do.	15,765,124	All other manufactures,.....	25,019,726
Cotton do.	51,102,359	Total capital invested in manu-	
Silk do.	274,374	factures,.....	\$267,726,579
Flax do.	208,087		
Mixed do.	4,368,991	Total capital invested,....	\$716,089,256
Tobacco do.	3,437,191		

There is great reason to believe that much inaccuracy exists in the whole returns of the census, but such as it is, it affords gratifying evidence of the resources of our country.

NAUTICAL INTELLIGENCE.

DISASTERS AT SEA DURING THE YEAR 1841.

We copy from the Sailors' Magazine the following summary of shipwrecks, &c., for 1841. Some of the vessels put down as "missing" were afterwards heard from, having been prematurely reported as such.

A record has been kept at the office of the American Seamen's Friend Society, during the year just closed, of disasters at sea, so far as they could be ascertained, which resulted in a "total loss" of the vessel. The greater part of them were wrecked on the coast of the United States, and the most of them were American vessels. The following is the result:—The whole number of vessels lost was 557—Of these there were—

Ships,.....	68	Schooners,.....	246
Barks,.....	47	Sloops,.....	21
Brigs,.....	130	Steamboats,.....	5
Unknown,.....	40		

Added to the above entire and known losses, there have been reported twenty-eight missing vessels during the year, which, with their crews, have most probably been entirely lost. Six hundred and fifty lives have been reported as lost, but the loss of life is undoubtedly much greater than this, as many vessels were reported as abandoned, or bottom up, where the crews were missing, and no intelligence has been received from them. The above facts speak a language concerning the perils of the sea, not to be misunderstood. The following statement exhibits the number of vessels and lives lost; also of missing vessels for five years preceding:—

	Vessels Lost.	Lives Lost.	Missing Vessels.
In 1840,.....	521	684	39
1839,.....	442	537	37
1838,.....	427	756	27
1837,.....	493	1295	30
1836,.....	316	826	12

SALVAGE TO THE FLORIDA WRECKERS.

The following is an account of the salvage decreed to the Florida wreckers during the year 1841 :—

March 16.—Brig Florida and cargo, appraised at \$18,252.....	\$3,650
March 25.—Cargo, &c., brig Candine, amount of sales, \$986.....	351
April 5.—Materials, &c., of ship Manchester, amount of sales, \$1,300.....	576
May 19.—Cargo, &c., brig Affleck, amount of sales, \$2,374.....	781
May 20.—Brig Leander and cargo, amount of sales, \$19,360.....	6,831
May 31.—Ship Mississippi and cargo appraised at \$100,058.....	14,698
June 1.—Ship Ganges and cargo, estimated at \$49,008.....	15,894
October 30.—Brig Ada Eliza and cargo, appraised at \$12,002.....	5,400
November 2.—Cargo, &c., of schooner Columbia, amount of sales, \$8,386.....	2,935
Bark Theodore Korner and cargo, decided at Savannah, appraised at \$19,000.....	5,000
December 11.—Schr. Boston Packet and cargo, amount of sales, \$2,398.....	857

Amount decreed,.....\$56,973

To this add cases arbitrated :—

Brig Louise, nett sales, \$1,984.....	\$820
Schooner Coral and cargo, estimated \$2,600.....	1,040
Schooner January and cargo, estimated \$1,800.....	600
Bark Henry Woolley and cargo, estimated value after paying duties } and expenses, \$34,631.....	9,696
Brig Primavera and cargo, estimated at \$8,500.....	850
Brig Jasper and cargo, appraised at \$5,500.....	2,000

Amount awarded by arbitrators,.....\$15,006

TOTAL,.....\$71,979

The following exhibits the annual amount of salvages decided at Key West, for the ten years preceding :—

1831,.....	\$39,487	1837,.....	107,495
1832,.....	46,555	1838,.....	34,578
1833,.....	38,128	1839,.....	90,797
1834,.....	32,042	1840,.....	85,113
1835,.....	87,249	1841,.....	56,973
1836,.....	174,132		

The above amounts are not entirely correct in all cases, salvages being sometimes given in kind, so as to allow only an approximation to their money value; they are generally, however, not far out of the way. The salvages for the years 1839, 1840, and 1841, were decreed by our present judge; prior to 1839, they were decreed by Judge Webb.

OBSERVATIONS ON THE RISE AND FALL OF LAKE ERIE.

The Buffalo Commercial Advertiser gives the following observations on the rise and fall of Lake Erie, at Fairport, Ohio, from 1833.

Greatest depression of the lake or lowest stage of water is in February, and the greatest height about the 6th of July of each year.

The highest water known was in 1838, measured in February, from which the following heights are taken :—

February 6, 1840, measured and found the lake had fallen since February, 1838, two years,.....	26 inches.
Rising from that date same year to July 6,.....	20 "
Falling from July 6 to August 6,.....	3½ inches.
" " to September 28,.....	6½ "
" " to February 22, 1841,.....	16 " 26 "
" " 6 inches lower to add,.....	6 "
	—
	or 32 inches.

February 22, 1841, found the lake had fallen 6 inches in the last year, as above, since 1838, a period of three years.

Rising from February to April 1,.....	6 inches.
" " to July 6,.....	10 " — 16 inches.
And falling from July 6 to August 6,.....	4 inches.
" " to September 6,.....	4 "
" " October 6,.....	5 "
" " November 6,.....	3 "
" " December 6,.....	0 "
" " January 6,.....	0 " — 16 inches,
	or winter level, — 32 inches.

It is now judged to be from 12 to 18 inches above the lowest water mark, by the oldest residents of Buffalo.

THE BOOK TRADE.

1. *On the Beauties, Harmonies, and Sublimities of Nature ; with Notes, Commentaries, and Illustrations.* By CHARLES BUCKE, author of "Ruined Cities," &c. &c. (Vol. 145 Harpers' Family Library.)

We have seldom read a book in which the pleasing and the useful were so admirably blended and combined as in this volume. The author has brought to the illustration of his subject, facts the most curious, entertaining and varied, collected from every quarter, and has embellished the whole with the creations of a lively fancy, rich classical allusions, and moral inferences no less just than beautiful. The beauties and sublimities of nature are presented in their most impressive features, in points of view singularly striking and novel, and in connection with associations that impart to them new interest, and additional power to instruct and gratify. The concluding article, on a future state of being, as the grand result distinctly indicated by all that is witnessed around us, is particularly fine.

- 2.—*Essays on Property and Labor, as connected with Natural Law and the Constitution of Society.* By FRANCIS LIEBER. (Vol. 146 Harpers' Family Library.)

A just estimation of the principles regulating the rights of property and labor in their various relations is at the foundation of morals no less than of legislation. The subject is, therefore, one of very great importance, and we are the more gratified to see a writer so competent as Dr. Lieber devoting himself to its consideration, from the conviction that very erroneous views are somewhat extensively entertained in relation to this subject at the present day. There is much in this treatise that is calculated to set us right where we have been led away from first principles by delusive theories, and to establish those principles more firmly where they are already admitted and correctly understood.

- 3.—*Ahasuerus ; a Poem.* By A VIRGINIAN. New York : Harper & Brothers. 1842.

We have been agreeably disappointed in this artless versification of a well-known legend—that of the accursed Jew who spat upon Jesus on the cross, and received from him the sentence "Tarry till I come." There are many beautiful thoughts, many sweet verses, many original and gorgeous figures, many true and holy sentiments. The epical form and prosy measure which the author has chosen, no less than the subject itself, have interposed obstacles in the way of his complete success. Still there is unequivocal merit in it, no ordinary power of fancy, and no common ability at description. If "Ahasuerus" cannot take its place in the highest walk of the divine art, it never sinks to the lowest, and may content itself with bearing on its fair pages pleasure, instruction, and comfort to a discerning and candid public.

- 4.—*Norway and the Norwegians ; or, Feats on the Fiord : a tale.* By HARRIET MARTINEAU, author of "The Peasant and the Prince," "Settlers at Home," &c. 18mo. pp. 180. New York : D. Appleton & Co. 1842.

- 5.—*Which is the Wiser ? or, People Abroad : a tale for youth.* By MARY HOWITT, author of "Strive and Thrive," "Hope On, Hope Ever," "Sowing and Reaping," "Who shall be Greatest ?" &c. 18mo. pp. 184. New York : D. Appleton & Co. 1842.

These two volumes form the 14th and 15th of Appleton's admirable collection of "Tales for the People and their Children," a series of juvenile books which we cannot too highly commend.

6.—*An Introduction to Legal Science*; being a Concise and Familiar Treatise on such Legal Subjects as are earliest read by the Law Student; should be generally taught in the higher Seminaries of Learning, and understood by every Citizen, as a part of a General and Business Education. To which is added, A Concise Dictionary of Law Terms and Phrases. By SILAS JONES, Counsellor at Law. New York: John S. Voorhies. 1842.

The copious titlepage quoted furnishes a very good idea of the comprehensive treatise before us. The object of the author in preparing this work, as we are informed in his preface, was to produce a book which could be both read and studied, not merely for those destined for the legal profession, but by those also who, without the stimulus of professional predilections, have simply the desire to give such attention to the leading topics of law as belong to general and business education. The author has relieved the subject of its dryness, not by shunning its technicalities of language, but by using and defining them in such connections as will enable general readers to understand them. The work is written in a plain, perspicuous, and spirited style; its subject matter judiciously selected and well-arranged; and treated in a manner at once interesting and instructive. The dictionary appended to the work is not the least valuable portion of it; and, containing as it does, a brief but pertinent dictionary of most of the legal terms and phrases in ordinary use, it will be found exceedingly valuable to the general reader.

7.—*Laws of the State of New York, of a General Nature, passed from 1828 to 1841, inclusive*; all acts relating to the same subject classified and brought together under their appropriate heads. Selected and arranged, with references to judicial decisions. By A COUNSELLOR AT LAW. Rochester, N. Y.: Thomas H. Hyatt. 1841.

This work is particularly valuable to the lawyer, and one which we think few will fail to purchase. His library may contain the entire volumes of statutes passed during the years comprised in the book before us, and yet this will be useful to him from the fact that containing as it does, all the laws of general application or interest, together with a copious and well-arranged index, he is enabled to find any act with much more ease and facility than he would if compelled to search through the pages of a dozen volumes. And to those who cannot well afford to buy all the statutes passed during the period we have mentioned, we need hardly say that this work, the cost of which is but trifling, is invaluable. The only objection existing against it is, that courts, we suppose, will not receive it as evidence of statutes it contains, from the fact that they are not compiled and published under the sanction of the state legislature. But this is one comparatively trifling, for it is equally valuable as a book of reference—equally useful to the lawyer in his office. Its mechanical execution is good; and as it is a work perfectly novel in its plan, and really of great value to the bar, and to those who may sometimes find it necessary to refer to some among the multitude of laws with which our statute books are crowded, we recommend it as deserving of an extensive sale.

8.—*Personal Recollections*. By CHARLOTTE ELIZABETH. From the London edition. 12mo. pp. 303. New York: John S. Taylor & Co. 1842.

The writings of Charlotte Elizabeth consist principally of religious tales, which have obtained an extensive circulation among a large class of Christians of the popular creed, both in England and America; and these autobiographical notices of her life and opinions will enable her numerous readers to gain an insight into the peculiarities of her character, and will be read with interest by her admirers.

9.—*Grandfather's Chair*; A History for Youth. 18mo. pp. 139.

10.—*Famous Old People*; being the Second Epoch of "Grandfather's Chair." 18mo. pp. 158.

11.—*Liberty Tree*; with the Last Words of "Grandfather's Chair." 18mo. pp. 156. Boston: Tappan & Dennet. 1842.

Nathaniel Hawthorne, the author of these "ponderous tomes," describes the eminent characters and remarkable events of our New England early annals, in a form and style that cannot fail to attract the attention of the young, and make them acquainted with them of their own accord. While, therefore, ostensibly relating the adventures of a chair, he keeps a distinct and unbroken thread of authentic history. Setting aside grandfather and his auditors, and excepting the adventures of the chair, which form the machinery of the books, and the license of filling up the outline of history with details from imaginative authority, they contain nothing that will violate or give a false coloring to the truth of history.

- 12.—*Discourses on Human Life.* By ORVILLE DEWEY, Pastor of the Church of the Messiah, New York. New York: David Felt & Co. 1841.

This series of sermons, presented by a pastor to his people on account of his separation from them by ill health, is remarkable on a great many accounts. In the first place, because of their catholicity of sentiment and doctrine: there is not a word in this volume which would not receive the hearty "Amen!" of every good person of every sect. Much he venerated might be absent; but nothing could be found to disturb a Sabbath hour, or strike the jarring note of theological controversy. In the second place, these discourses treat of topics never hardly considered in the pulpit—never before discussed in a similar way—and yet lying at the foundation of all practical Christianity. The seventh sermon, "The School of Life," affords one of the happiest specimens of this distinguished preacher's style; and, at the same time, novel as its form is, stands impregnable in its general proposition upon the unassailable reasoning of Butler. Again, these sermons are remarkable, and cannot fail of awakening an unusual interest for productions of the class, in casting aside all the usual modes of pulpit address; all the mechanical forms of sermonizing; all the shackles which have bound down to a Samson's prison-floor so many rich minds, and sustaining a lofty, profound, and original course of eloquent argument upon some of the most interesting themes of thought and most important walks of duty.

- 13.—*An Offering of Sympathy to the Afflicted, especially to Parents bereaved of their Children.* Boston: James Munroe & Co.

The number of editions this work has passed through in this country and in England show that it has met a living want. The circumstances of its first publication are exceedingly interesting: the infant child of a venerable Boston clergyman was allowed by its nurse to encounter a death of extreme agony. In the distress occasioned by this affliction, the happy thought occurred of ministering through his own experience to the consolations of others; and this volume was collected from various devotional works, and from the pulpit efforts of the neighboring clergy. Channing, Walker, Greenwood, Furness, Peabody, and others of the most distinguished in the ranks of "liberal Christianity," have made rich offerings, both in prose and verse, on this altar of sympathy; and from some knowledge of the comfort it has afforded to the bereaved, we cordially recommend this work as one of the best of the kind—one deserving a cordial welcome to every house and every heart. The variety of thought and expression, and yet the perfect harmony of tone and feeling which marks this spiritual wreath for a Christian cemetery, will make it live and bloom as long as sorrow is known.

- 14.—*Familiar Dialogues and Discussions*; for Exhibition in Schools and Academies of either Sex, and for the Amusement of Social Parties. By WILLIAM B. FOWLE, teacher of a young ladies' school in Boston. 12mo. pp. 286. Boston: Tappan & Dennet. 1841.

Aside from the value of this excellent collection of dialogues for schools and academies, we have been agreeably entertained with the perusal of several of the discussions, most of which are original. "The Town Meeting for the Discussion of Slavery," and "The Meeting of Ladies to Discuss the Rights of Woman," are admirable hits at the times, and popular assemblies the world over.

- 15.—*Robin Hood, and his Merry Foresters.* By STEPHEN PERCY, author of "Tales of the Kings of England." 16mo. New York: J. & H. G. Langley. 1842.

Who has not read this famous old ballad? This is the first time, however, that an attempt has been made to adapt the legend to the popular taste by rendering it intelligible to youth. The adventures and exploits of this renowned hero are presented in the narrative form, introducing portions of the original ballad, and that of Robin Hood and the Ranger, the whole being illustrated by eight colored drawings.

- 16.—*Tales of Shipwrecks and other Disasters at Sea.* By THOMAS BINGLEY, author of "Stories about Dogs," &c. 18mo. pp. 224.

This little volume contains the adventures of Falconer; the wreck of the Vryheid, the Albion, and the Medusa; mutiny of the Bounty; loss of the Kent, the Winterton, East Indiamen, the Royal George, &c.; related by "Ucle Thomas," after the attractive manner of Peter Parley.

- 17.—*Twice-Told Tales*. By NATHANIEL HAWTHORNE. 2 vols. Boston: J. Munroe & Co. 1842.

Nathaniel Hawthorne needs no praise of ours; in the light and brief sketches which are his chief delight, he has no peer; in the successful portraiture of the finer traits of character, as in the "Gentle Boy," his masterpiece, he fears no rival. His tales renew the joy of our youth over the delightful sketches of Irving; and like them, touch the better feelings, and lead us on to the love of virtue for Virtue's self. Hardly one of his pieces but has some rich lesson hidden among its sweet flowers; not one but breathes a wholesome and healing moral atmosphere. Yet, more graceful, modest, and delicate utterances of holy sentiment were never made. It is like the heart of a sister or mother exhaling a blessed atmosphere around us. The first of these volumes has been for some time before the public; but the second is new in its collective capacity, and deserves a resting place on every family bookshelf, and in every true and pure heart throughout the land. Four of its pieces are legends connected with the early history of the country, simple in themselves, but no way unworthy of the highest artistical genius.

- 18.—*Sketches of New England*; or, *Memoirs of the Country*. By JOHN CARVER, Esq., *Jus- of the Peace and Quorum*. 12mo. pp. 286. New York: E. French. 1842.

These sketches are from the pen of a legitimate son of New England, who boasts his descent direct from one of those stern old Puritans who chartered the Mayflower. Born on the banks of one of her beautiful rivers, and nurtured among her mountains, and residing in each of her states, his opportunities of knowing her inhabitants were certainly neither few nor small. His description of manners is therefore of what he has seen, and his delineations of character are drawn from life. The volume contains fifteen sketches, five of which were originally published in the *Knickerbocker*, where they gained high and deserved encomiums from the editors of public journals, and met with a favorable reception from the community.

- 19.—*Annals of the Poor*. By the Rev. LEIGH RICHMOND. 12mo. pp. 238. New York: J. & H. G. Langley.

The popularity of this little work has been scarcely inferior to that of Bunyan's "Pilgrim's Progress." The narratives, which are founded in fact, possess a deep and thrilling interest, so that whether for entertainment merely, or as a vehicle of religious instruction, it would be difficult, perhaps, to find its superior.

- 20.—*Beauties of Rev. John Wesley, A.M.*; containing the most interesting passages, selected from his whole works: with a memoir of his life, and the particulars of his will. 18mo. pp. 212. New York: J. S. Redfield. 1842.

- 21.—*The Golden Grove*; A Choice Manual, containing what is to be Believed, Practised, and Desired, or Prayed for; the prayers being fitted for the several days of the week. To which is added, A Guide for the Penitent, or A Model drawn up for the Help of Devout Souls wounded with Sin: also, Festival Hymns, &c. 18mo. pp. 155. New York: D. Appleton & Co. 1842.

- 22.—*The Jacquerie*; a Novel. By G. P. R. JAMES, Esq., author of "The Gipsy," "The Ancient Régime," "The Gentleman of the Old School," &c. 2 vols. 12mo. New York: Harper & Brothers.

- 23.—*The Benevolent Merchant*; or, *The Dealings of God in Providence and Grace*. A narrative intended to guide young disciples in forming a right judgment of the Divine purpose in the various events of human life. By M. N. 18mo. pp. 220. New York: Dayton & Saxton. Boston: Saxton & Pierce. 1842.

- 24.—*A National Bank or No Banks*; an Appeal to the People of the United States, especially of the Laboring Classes. By JOHN R. HURD. 8vo. pp. 104. New York: W. E. Dean and Dean & Trevett.

- 25.—*The Library of Commerce; Practical, Theoretical, and Historical*. By FREEMAN HUNT, Editor *Merchants' Magazine*. Vol. I.—Part 1:—Sketch of the Commercial Intercourse of the World with China. 12mo. pp. 108. New York: Office of the *Merchants' Magazine*. 1842.